



CHILE: STATE OF SIEGE

Reports of human rights abuses as security forces carry out mass arrests

AI has expressed grave concern about reports of human rights violations during mass raids by military and security personnel after the imposition of a state of siege on 6 November.

In a telex message to President Pinochet on 16 November, the movement said it was concerned about reports that thousands of people had been arbitrarily arrested since the imposition of the state of siege.

Most were said to have been detained during dawn raids on shanty towns on the outskirts of Santiago. Several thousand males over 16 were reported to have been rounded up and taken away for interrogation. Relatives said they were given no information about where the detainees were being taken or why they had been held; in many cases, they said, it was only days later that they learned what had happened to them.

Trade unionists and members of opposition political groups were also arrested during raids on their headquarters by the secret police, the *Central Nacional de Informaciones* (CNI).

In its telex message of 16 November, AI urged President Pinochet to take immediate measures to publish the names and places of detention of all those arrested and the reasons for each detention, and to ensure that conditions of incommunicado detention be lifted. It also urged him to initiate immediate investigations into reports of ill-treatment and torture of detainees.

Most of those arrested in Santiago since the state of siege was declared are

State of siege powers

Under the state of siege President Pinochet is empowered to detain people indefinitely without charge, banish them and prevent them entering or leaving the country; and also to restrict the rights to freedom of expression and assembly.

Six opposition magazines were closed down immediately after the state of siege was announced, and Father Ignacio Gutiérrez, head of the Roman Catholic church human rights organization, *Vicaría de la Solidaridad*, was prohibited from returning to Chile after his visit to the Pope and a meeting with Chilean exiles in Rome.

believed to have been released without charge; placed at the disposal of the courts (brought before court and awaiting a decision on possible charges); or banished without charge or trial.

Those banished are believed to have been taken straight from secret CNI detention centres, police stations or military installations to their places of banishment.

About 200 people detained after the imposition of the state of siege are reported to have been banished. The government has described them all as "delinquents" or "subversive delinquents" — but reports received by AI indicate that they include trade unionists, members of opposition political groups and shanty town leaders □

'Disappeared' baker found dead

JUAN ANTONIO AGUIRRE BALLESTEROS
¿DÓNDE ESTÁ?

obrero pacificador - 23 años
detenido por carabineros el 4 de Septiembre



No podemos permitir
que de nuevo desaparezcan personas

¡Tenemos que encontrarlo!
¡Defiende a tu hermano,
pregunta por él, movilízate!

A poster demanding to know the whereabouts of Juan Antonio Aguirre Ballesteros, 23, a baker from a shanty town on the outskirts of Santiago who "disappeared" after his reported arrest by uniformed police on 4 September (see November Newsletter).

His headless and mutilated body was reportedly found in a river in the town of Melipilla, near Santiago, on 22 October; it was identified by relatives two days later.

The available evidence suggests that he may have died after torture.

Several people who were detained on the same day as he was have alleged that he was seen and heard being tortured in the 26th *Comisaría* (police station) in Pudahuel, Santiago, after his arrest.

The former detainees say they too were tortured. One, Sergio Tapia, said that after he had been tortured "they began to interrogate the other youth, whom I later found out to be Juan Aguirre. I could hear a loud buzzing from the electricity generator. There was a loud scream and then silence.

"I noticed that the agents who were carrying out the torture suddenly became very agitated... One of them said something like 'We've lost this bastard', while another said, 'This bastard couldn't take it.' Then I heard voices calling for an ambulance."

The uniformed police have continued to deny that Juan Aguirre was arrested.

On 25 October AI sent a message to the Chilean authorities expressing grave concern about Juan Aguirre's case □

Death penalty in Jamaica — new report

A new AI report, *The Death Penalty in Jamaica*, was published on 21 November 1984. It comprises the text of a memorandum sent to the Jamaican authorities on 24 July 1984 and is based on the findings of an AI mission to Jamaica in November 1983 and on other information collected by the movement.

AI sent the mission after an increase in the number of executions in Jamaica since 1980 — 26 in four years. Most of those executed were sentenced between April 1976 and August 1980, a period during which executions were held in

abeyance while parliament considered whether or not to abolish the death penalty. Jamaica's House of Representatives decided by a narrow vote in 1979 to retain it.

There are now about 150 people on death row in the country.

In its report, AI urges the government to halt all further executions and to commute all existing death sentences; to introduce legislation providing for the abolition of the death penalty; and to commute all future death sentences pending changes to existing legislation.

Mozambique Plight of political detainees

The recent release of 50 long-term political prisoners in Mozambique (see box) has served to highlight the plight of other political detainees in that country — they are held for long periods without charge or trial, are often kept incommunicado for months on end and, in some cases, are reported to have been tortured or given severe beatings.

AI has continued to express its concern to the Mozambique Government about the lack of safeguards to protect untried political detainees and to appeal for an urgent review of the cases of a number of detainees in the country's main political detention centre, Machava, in the capital, Maputo.

In April 1984 the government re-launched its November 1981 "Legality Offensive", a campaign to prevent abuse of detainees by the defence and security forces and to ensure greater respect for the law, in particular as regards how long suspects may be detained without charge or trial.

Despite the government's campaign, however, AI remains concerned because political detainees, particularly those held by the national security service, continue to be held for long periods without being formally charged — and sometimes without being informed of the reasons for their detention.

Such detainees have no opportunity to challenge their continuing detention or to contest any accusations against them. Political detainees' right to the remedy of *habeas corpus*, for example, was suspended in November 1974. Since the national security service was created in October 1975, detainees in its custody have not been allowed to present *habeas corpus* petitions to the courts or to have their detentions reviewed by either the courts or the Procurator's Office.

AI is also concerned because political detainees are often held incommunicado for months and sometimes for more than a year. While kept incommunicado, some are reported to have been tortured or given severe beatings or floggings.

Although, when he first launched the

"Legality Offensive", President Samora Machel condemned torture and said its use would be punished, in late 1984 AI was still receiving reports of the torture and ill-treatment of political detainees.

In July and again in October 1984, AI wrote to members of the Mozambique Government, suggesting that steps be taken to limit the use of detention without trial and introduce safeguards to protect political detainees. The most important were:

- the reintroduction of the right to *habeas corpus* for all prisoners without exception;
- the introduction of limits on how long suspects may be detained without charge by the national security service;
- modifications in the law on criminal procedure to ensure that all detainees are informed of the reasons for their detention and brought before an independent judicial officer, such as a judge or procurator, promptly after being taken into custody;
- the introduction of limits on incommunicado detention and measures to ensure that relatives, medical personnel and legal counsel have prompt and regular access to detainees;
- the establishment of an independent commission to review the grounds of detention of all detainees who have been held for long periods without trial; where it is found that grounds do not exist for specific charges, detainees should be released immediately □

Amnesty

Fifty long-term political detainees and two other prisoners were released in Mozambique under an amnesty announced on 24 September, the 10th anniversary of the accession to power of the ruling FRELIMO party.

Most of the 50 had been held without trial in "re-education" camps for between three and a half and 10 years; 34 had been held for nine years or more. None had been charged or tried.

between two and 10 years' imprisonment each.

AI is continuing to appeal to the authorities for the release of 14 other people in Rwanda it considers to be prisoners of conscience □

Prisoner releases and cases

AI learned in October 1984 of the release of 75 prisoners under adoption or investigation; it took up 89 cases □

Releases in Rwanda

Immaculée Mukamugema, a prisoner of conscience in Rwanda whose case was featured in the October 1984 *Newsletter*, has been released. She was one of 12 prisoners (10 of them adopted by AI as prisoners of conscience) whose release was announced in early November by the Government of Rwanda. They had been convicted in 1981 and 1983 on charges of distributing seditious documents and were serving sentences of

Israel Arrests of Arab school children causes concern

AI has twice written to the Israeli authorities, on 25 October 1983 and 21 February 1984, about the arrest and short-term detention of Arab school children at the time of their matriculation examinations. It expressed concern on both occasions that in view of the timing of these arrests, and the apparent lack of interrogation and charges, "these individuals may have been subjected to arbitrary arrest and detention, unrelated to the commission of any specific offences".

In June 1983 school children from the West Bank towns of Jenin, Nablus, Ramallah and Hebron were reportedly detained for four to six days. (AI received the names of 37, although it was reported that as many as 180 were arrested.) All were due to sit for the government matriculation (*tawjihi*) examinations and were arrested just before or just after they began. According to Israeli military sources quoted in the press, some were suspected of throwing stones. However, AI's information is that none were questioned, or told the reasons for their arrest; they were not charged or tried, or allowed access to their families or lawyers while in detention. Most were held in the Al Fara'a detention centre.

In its letter of 25 October, AI said that as a consequence of their arrest, all the school children were disqualified from matriculating in 1983.

In January 1984 three more school children from Nablus were reported to have been similarly arrested and detained before the start of the first half of the 1984 *tawjihi* exams. As a result they, too, were disqualified from matriculating this year; two of them had also been arrested in June 1983.

On both occasions AI asked the authorities for the reasons for the arrest of each of the school children named, including the date and nature of any alleged offence, and the reasons for their arrest at that particular time. AI notes with concern that no explanation for these arrests has been given by the authorities.

Military Order 378 gives any soldier in the Israeli Occupied Territories the power to arrest without a warrant, and allows security suspects to be held for up to 18 days without legal access before being brought before a court. AI has received a number of well-documented reports of residents of the Occupied Territories being kept in incommunicado detention for up to 18 days — most often in Al Fara'a detention centre — without being interrogated or informed of the reasons for their arrest, or being charged or tried. Some people have been frequently arrested in this way □

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.

Four prisoners, Paraguay

The four have been held since early 1982 for the non-violent expression of their beliefs. They are reported to have been tortured.

The four prisoners are: **Roque RUIZ Diaz**, a bricklayer of over 60; **María Margarita BAEZ**, 36, a manicurist; **Antonio GONZALEZ Arce**, 33, an insurance salesperson; and **Emilio Asterio LUGO Valenzuela**, 29, a peasant.

They were among 36 people detained in January and February 1982 after police raids in Asunción. The arrests were not officially acknowledged until mid-March and during the intervening period the detainees, held incommunicado, are reported to have been tortured in the Police Investigations Department. Margarita Báez is reported to have suffered a miscarriage as a result.

The incommunicado detention continued until 1 June 1982 when, after a hunger-strike by nine prisoners, all were moved to regular detention centres.

The authorities then announced that the 38 prisoners (two more had been arrested in April) had been charged under Law 209 (In Defence of Public Peace and Liberty of Persons), in connection with their alleged membership of a Maoist faction of the banned Paraguayan Communist Party.

AI believes that Law 209 has often been used to justify the arbitrary detention of suspected opponents of the Paraguayan Government. Furthermore, AI has regularly expressed concern about legal proceedings under this law, in particular about the apparent reliance of the courts on statements made in custody — the movement knows of many cases of statements having been made under duress or of prisoners having been forced to sign statements without being told of their contents.

When the 38 defendants appeared in court in June, some made statements complaining of torture in police custody. AI knows of no official investigation into these complaints.

Sentences were not passed until June 1984: 18 defendants were acquitted; 16 others were sentenced to 28 months' imprisonment, and were released as they had already served this term.

The four prisoners named above were

each sentenced to four years eight months' imprisonment and are still detained.

Please send courteous letters appealing for their immediate release to: General Alfredo Stroessner/President de la República/Palacio del Gobierno/Asunción/Paraguay.

Radu FILIPESCU, Romania

An electronics engineer from Bucharest, he is serving a 10-year sentence of imprisonment imposed in 1983 for printing and distributing leaflets.

Radu Filipescu, 28, was working for the state-owned Pipera Electronics Complex in Bucharest in May 1983, when police arrested him as he was distributing leaflets to houses in the city. They searched his home and found printing equipment and about 2,000 leaflets.

Earlier in the year he had apparently printed a large number of leaflets and posted many of them through letter boxes of blocks of flats in Bucharest. The leaflets reportedly called on people in Bucharest to gather in the Palace Square on a particular day and demand the replacement of Nicolae Ceausescu as President of Romania and leader of the ruling Romanian Communist Party.

In September 1983 Radu Filipescu was tried by the military court of Bucharest and found guilty under Article 166 (2) of the criminal code ("Propaganda or the undertaking of any action in order to change the socialist order, or from which danger to the security of the state may result"). He was sentenced to 10 years' imprisonment and is now believed to be in either Rahova prison, Bucharest, or Aiud prison, Alba county.

AI knows of no evidence to suggest that the leaflets in the case in any way advocated the use of violence, and the organization considers that Radu Filipescu was convicted because of the non-violent exercise of his right to freedom of expression, in violation of Article 19(2) of the International Covenant on Civil and Political Rights, ratified by Romania in 1974.

Please send courteous letters appealing for his immediate release to President Ceausescu: Presedentele/Republicii Socialiste Romania/Nicolae Ceausescu/ Calea Victoriei 49-53/ Bucuresti/R S Romania.

Mohamed Aden SHEIKH, Somalia

A doctor and member of parliament, he has been held without trial since June 1982.

Mohamed Aden Sheikh was one of seven members of both parliament and the central committee of the country's sole permitted political party, the Somali Revolutionary Socialist Party, who were arrested on 9 June 1982. They had reportedly made outspoken criticisms of President Mohamed Siyad Barre and opposed his re-election.

All were later charged with offences under the National Security Law (1970), which carries a mandatory death penalty upon conviction. No details of the charges — "acts against the independence, unity or security of the Somali state", and "conspiracy against the state" — have been disclosed by the authorities.

Although in late 1983 the Attorney General stated that investigations into their cases had been completed and that they would shortly be brought to trial, they have not so far been brought before any court or allowed access to legal representatives. The relevant court would be the National Security Court — a predominantly military court against whose verdict there is no right of appeal, although death sentences require the confirmation of the Head of State.

One of the seven detainees, **Warsame Ali Farah**, died in detention on 17 July 1983. The others, who include former Vice-President **Ismail Ali Abokor** and former Foreign Minister **Omar Arteh Ghalib** (prisoner of the month in June 1983), are still being held incommunicado in Labatan Jirov maximum security prison near Baidowa, where conditions are harsh.

Mohamed Aden Sheikh, who is in his late forties, trained as a doctor in Italy and was a surgeon at Mogadishu General Hospital before entering politics in the 1970s. He has been a Minister of Health, of Higher Education and of Information. He was removed from the last post in early 1982 and appointed President of the Somali Academy of Sciences.

Please send courteous appeals for his release to: His Excellency Mohamed Siyad Barre/President of the Somali Democratic Republic/People's Palace/Mogadishu/Somalia.

New hope for human rights in Guinea

Since the bloodless overthrow of a systematically repressive government in Guinea on 4 April this year, there have been dramatic improvements in human rights in that country. All political prisoners were freed on the day of the coup and the new government has repeatedly stated its commitment to respect human rights.

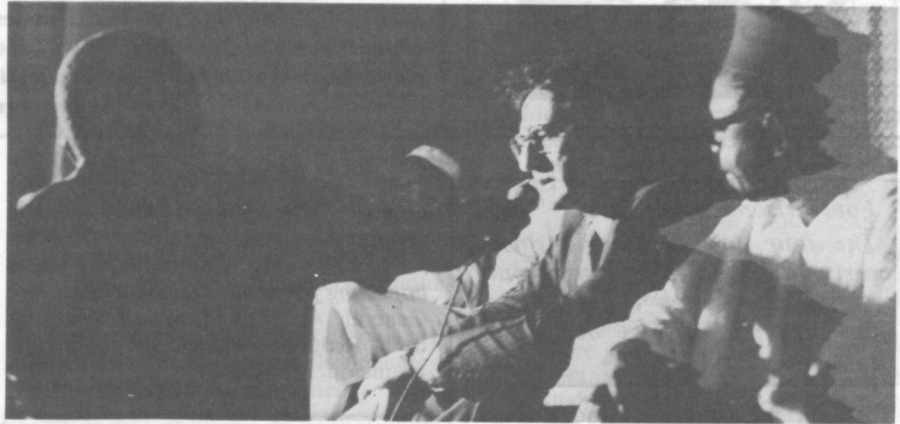
More than 1,000 former political prisoners, former prisoners' families and relatives of Guinea's thousands of "disappeared" people came to Conakry's Palais du Peuple on 1 October to greet the first AI mission to their country since the end of the rule of the late Ahmed Sekou Toure.

Representatives of a newly-formed association of former political prisoners thanked AI for having appealed for many years to the previous administration to improve human rights in Guinea.

The knowledge that international public opinion was actively concerned about the fate of political prisoners in their country helped to maintain their spirit and courage, they said.

The mission delegates — AI's Deputy Secretary General José Zalaquett and two members of its International Secretariat staff — spent 10 days in Guinea, from 1 October, at the invitation of the military government that came to power in the coup.

The purpose of the mission was to assess the relief needs of many hundreds of former detainees, to explore further the fate of the "disappeared" (see November 1982 *Newsletter* supplement)



AI Deputy Secretary General José Zalaquett seated between (on his right) El Hadj Mamadou Fofana, President of Guinea's Association of Former Political Prisoners, and El Hadj Deen Camara, its Vice-President.

and to make AI's work known to the new government.

During three days of public meetings, AI's delegates received over 100 personal accounts of the many tragedies suffered by former detainees and their families during the 26 years of Sekou Toure's rule.

Wives and children told of the lasting effects of dispossession, social ostracism and family disintegration resulting from individual and mass arrests under the former government.

After a breadwinner had been arrested or had "disappeared" the family would usually be evicted from their home and left destitute. State subsidies would be stopped and the family would be denied medical facilities, sometimes with permanent results.

Mission delegates saw young men and women who had been crippled or partially paralysed because they could not get the treatment they needed, because they were sons or daughters of political prisoners. Other family victims had suffered severe psychological problems, and a number were reported to be mentally disturbed.

Families told the delegates of their anguish year after year at not knowing the fate of their loved ones who, in some cases, had "disappeared" in the early 1970s — wives told how they had learned only on 4 April this year that their husbands had been put to death more than 10 years before.

Former prisoners showed the mission delegates where they had been tortured into making false confessions at Conakry's infamous Camp Boiro. The delegates inspected the dark and foul cells in which many prisoners had been starved to death on the *diète-noire* (black diet).

Among the victims of the latter was Diallo Telli, former Secretary-General of the Organisation of African Unity.

AI's delegates also visited mass graves sites at the foot of Mount Gangan, near Kindia, two of many found since the new government took power.

At the invitation of Guinea's President, Colonel Lansana Conte, the delegates visited Kindia prison, where senior members of the former administration are being held awaiting trial.

After the visit, the delegates informed President Conte that they believed that his instructions for the humane treatment of these detainees were being followed. The delegates stressed that AI was not seeking the detainees' release but their fair trial, with all due legal safeguards.

Government members told the delegates that they shared these concerns and wished to demonstrate that the rule of law had returned to Guinea and to resist pressure for revenge.

President Conte repeatedly stated his opposition to the death penalty.

AI's delegates had meetings with members of the *Commission nationale d'enquête*, whose task is to investigate the cases of senior members of the former administration before referring them to the judicial authorities.

The delegates met officials of the Justice Ministry who are restructuring the judicial system, following a national conference on justice in June. Guinea under Sekou Toure had no independent legal system and the retraining of lawyers and magistrates is just one of the many problems facing the country □

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Yugoslavia Intellectuals on trial

The trial of six Yugoslav intellectuals accused of forming an "illegal group" began in Belgrade on 5 November.

They were arrested and charged after a police raid on a private apartment in April 1984, when 28 people had come to hear a talk by Milovan Djilas, one of the government's most prominent critics.

The six are: **Vladimir Mijanovic, Pavlusko Imsirovic, Milan Nikolic, Gordan Jovanovic, Miodrag Milic and Dragomir Olujic.**

They are accused of having been responsible for organizing the April event and other similar discussion meetings. Such meetings, sometimes referred to in Yugoslavia as "Open University", had been held in Belgrade for a number of years; the authorities knew about them and there was no harassment until April.

If convicted, the defendants face prison sentences of between five and 15 years. None of the charges in the indictment relate to the use or advocacy of violence.

AI sent a mission to observe the trial from 5 to 9 November. The hearings were continuing at the time of writing □



FILE ON TORTURE

No. 5 December 1984

amnesty international

Afghanistan

This month's File on Torture is on Afghanistan and the Philippines (page 3)

Amnesty International has received persistent reports of widespread and systematic torture of political suspects in Afghanistan under the government of President Babrak Karmal, who came to power in December 1979. Testimonies and other information received by the organization indicate that torture is inflicted in detention centres throughout the country which are administered by the State Information Services, *Khedamat-e Atla't Dawlati*, known as the *KHAD*.

Despite the release in early 1980 of many political prisoners held by former governments, and promises to improve the human rights situation in the country, opposition to the present government has been systematically suppressed and its opponents tortured.

Numerous reports have indicated that the treatment meted out to suspects by *KHAD* agents has followed a pattern: they are arrested and taken to one of many *KHAD* detention centres — Amnesty International knows of eight in Kabul alone — where they are first subjected to various forms of deprivation and then soon afterwards intensively tortured.

Suspects are reportedly deprived of all contact with family, lawyers or doctors, or even other prisoners, by being held incommunicado and in solitary confinement. During this period they may be continuously interrogated, threatened and deprived of sleep or rest; cases have also been reported of detainees having been deprived of food.

Former detainees have told Amnesty International that suspects who fail to cooperate with the *KHAD* are then tortured — the methods reported have included threats of execution, electric shocks, beatings, burning with cigarette ends and dousing with water.

Detainees are also known to have been kept in shackles or bound hand and foot for prolonged periods.

In some cases prisoners are reported to have been forced to watch their relatives being tortured.

Prisoners are reported to have suffered permanent injury as a result of torture and several are said to have died while they were being tortured.

Although Amnesty International has received reports of torture under all three governments since the "Sawr" revolution of April 1978, when the People's Democratic Party of Afghanistan assumed power, it was only after the formation of the *KHAD* in late 1979 that the prac-

tice was reported to have become systematic.

The KHAD

The duties of the *KHAD* are widespread and include responsibility for supervising party members, the armed forces and ideological training for new party cadres. It is also charged with arresting and interrogating political suspects.

The *KHAD* is reported to have Soviet advisers attached to its main offices and there have been allegations of Soviet involvement in torture — several former prisoners have told Amnesty International of the presence of Soviet advisers in detention centres.

Each provincial capital has a *KHAD* office and detention centre.

- In Kabul, the prisoners are reported to have been tortured in the following eight detention centres: (1) the *KHAD* headquarters in the Sheshdarak district; (2) the Internal Affairs Ministry building; (3) the Central Interrogation Office, known as the *Sedarat*; (4) the office of the military branch of the *KHAD*, known as *KHAD-e Nezami*; (5) *KHAD* "Office Number Five", known as *KHAD-e Panj*; two private houses near the *Sedarat* building; (6) the Ahmad Shah Khan house; (7) the Wazir Akbar Khan house; and (8) the *KHAD* office in the Howzai Barikat district.

According to information received by Amnesty International, an internal *KHAD* report in late 1981 stated that four prisoners out of every 100 detained at the Sheshdarak detention centre in the preceding 12 months had died.

- In the city of Kandahar, there are

reported to be five *KHAD* detention centres: its headquarters in the former offices of the Morrison-Knudsen Construction Company in Manzal Bagh; the Vilayat, formerly the office of the central government in Kandahar; the detention centre of the *KHAD-e Nezami* (military *KHAD*) in the army base at Kandahar; and two private houses in the Shahr-e Nau district near the Musa Khan mosque.

- In the city of Jalalabad, the main *KHAD* detention centre is situated behind the Nangarhar University Hospital.

- Other detention centres where torture has been reported are in the towns of Faizabad (Badakhshan province) and Andkhoy (Faryab province).

In September 1982 the Afghan Government promulgated a "Law on the Implementation of Sentences in the Prisons", Article 3 of which reinforces the prohibition of torture already contained in the constitution. At the same time the government stated that a number of police officers were being tried on charges of having tortured prisoners. No independent confirmation of this, however, was received.

Afghanistan acceded to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights on 24 January 1983.

In October 1983 Amnesty International wrote to President Karmal expressing grave concern at reports of ill-treatment and torture of detainees in the custody of the *KHAD*. The movement urged the government to establish an immediate inquiry into interrogation procedures used by the *KHAD* and that, if torture reports were found to be true, the responsible officials be charged and tried in conformity with Afghanistan's Penal Code. Amnesty International has received no reply or comment on these recommendations.

Arbitrary arrest of people alleged to be opposed to President Babrak Karmal's government appears to be widespread and it is rare for prisoners to be formally charged. To Amnesty International's knowledge, no laws relating to arrest and detention have been made public.

These arrests are carried out by the *KHAD* and detainees are then taken to one of the detention centres mentioned above. They are often held there incommunicado for many months and, in some cases, reportedly for years. Amnesty International was told of a man who was arrested by the *KHAD* in June 1981 and held in the Sheshdarak detention centre incommunicado until 1983.

No access to family or lawyers is allowed in these centres and it is extremely unusual for a prisoner to be allowed to see a doctor. After interrogation at these centres, some detainees may be released, but most are transferred to Pul-e Charkhi Prison in Kabul, where they are held indefinitely without charge or trial.

Although many of those tortured appear to have been involved in armed resistance to the government, other victims include civil servants, teachers and students who have been detained merely on suspicion of opposition to the authorities. Many of those arrested claim not to have been involved in politics at all but to have been detained as a deterrent to others or on the basis of false information from spies.

Testimonies

The following are extracts from testimonies of former prisoners interviewed by Amnesty International, or whose testimonies were sent to the organization, after they had left the country. Their names are withheld at their request because all have relatives remaining in the country.

A is a former senior civil servant in the Public Works Department in Kabul who was arrested in July 1982 for alleged involvement with a group organizing armed resistance to the government. His wife and three children were detained at the same time and held incommunicado in the *Sedarat* detention centre; they were not ill-treated. A was held at the *Sedarat* for three-and-a-half months before being transferred to Pul-e Charkhi.

"For the first 12 days of my detention I was held in solitary confinement. Thereafter I shared a cell with nine others. I was taken for questioning on many occasions and each time I was beaten on the head and body and kicked in the lumbar region and in the legs. Once I was questioned by teams of interrogators and allowed no sleep for 48 hours. On three occasions I was subjected to electric shock treatment which was adminis-

tered by electrodes being attached to my tongue and toes. I fainted each time and was doused with water; then the treatment began again."

He was released uncharged from Pul-e Charkhi Prison in June 1983.

B, another senior civil servant at the time of his arrest in August 1982, was held by the *KHAD* for six weeks in a former private house near the *Sedarat* detention centre. In a message to his family after his release he wrote:

"Since I have been out of hospital my health has not been good . . . [During detention] My nails were pulled out after nearly four-inch needles had been stuck into my finger tips. Sometimes at night 10 or 11 people assaulted me by jumping on me. I was given electric shocks and suffered [ill-treatment] for five and a half months continuously . . ."

C was a senior high school student at the time of his arrest in the city of Jalalabad in January 1983. Many members of his family are reported to be involved in the armed resistance to the government and this may have been the reason for his arrest.

"I was held in the *KHAD* detention centre in Jalalabad for over a month. I was questioned almost every evening, the interrogation beginning punctually at 10.00 pm. I was beaten frequently with sticks and on six occasions electric shocks were administered to my fingers and toes. One of my cellmates had wires connected to his genitals.

"Each interrogation session lasted about four hours. Shouts of pain could be heard all through the night. Prisoners were brought back from the interrogation rooms with marks of beatings visible all over their bodies.

"One night a captured guerilla was brought to the prison. He was wounded in the arm. During the interrogation the officials would extinguish their cigarettes on his body. One of them put a lighted cigarette into the wound. The man was shrieking."

D, a 60-year-old businessman at the time of his arrest in April 1981, stated that he was detained on 25 April after two vehicles carrying *KHAD* personnel had drawn up outside his house.

"I was bundled into the first vehicle while men from the second came out and searched my house. I was never to set foot in my home again. I was taken to a large private house near the *Sedarat* . . . known as the Ahmad Shah Khan house."

"At 2am the following day I was taken out . . . to be interrogated by five Afghans all in civilian clothes. I was asked why my son-in-law had defected to the Americans and told that all my children had now defected to the imperialist west. I was warned that if I did not make a full confession I would be killed.

"When I denied all knowledge of my son-in-law defecting, which was completely true, they started beating me. I am an old man and my health had been poor for some time. They beat me until I fell to the floor and lost consciousness. When this happened they would throw water over me and try to bring me round. This process lasted for two hours. By the end I was not able to stand.

"For the next 18 days I was detained in the same room. Each alternate night, exactly at 2am, I was taken out . . . for interrogation. The pattern was always the same: questions, then beatings and then more questions . . ."

"I was never subjected to electric shock treatment. One evening, however, when I was brought to the interrogation room, on a table in a corner were several torture instruments, indeed they were referred to as such. They included a baton with wires attached and a cap to be placed over the head, and used for the administering of electric shocks.

"As the days went by my eyes became swollen and blurred. My body was bruised all over. My clothes were filthy with blood and I was allowed no change of clothing. My wife had no idea where I was or why I was being imprisoned."

What you can do

Please send courteous letters expressing your concern about persistent reports of widespread torture in Afghanistan since 1979.

- Point out that torture is prohibited under international law and that by becoming a party to the International Covenant on Civil and Political Rights Afghanistan has undertaken a specific legal obligation to ensure that its citizens are not tortured.

- Urge the authorities to ensure that all reports of torture are impartially investigated, as called for in the United Nations Declaration against Torture, and that those responsible are brought to justice.

- Urge that detainees be held only in publicly recognized places and — as a safeguard against torture — that relatives and lawyers be given prompt and regular access to them.

Send your letters to:

H. E. President Babrak Karmal/
Office of the General Secretary
of the Central Committee of
the PDPA and President of
the Revolutionary Council/Da
Khalkoo Koor/Kabul/Afghanistan.

The Philippines

Amnesty International has regularly received reports of systematic torture in the Philippines since the imposition of martial law there in September 1972. Despite the lifting of martial law in January 1981, members of the armed forces have retained extensive powers of arrest and detention in cases involving "subversives" and other "public order violators".

Although an extensive legal framework exists to provide safeguards in cases of such arrests, suspects have commonly been abducted without warrant and detained incommunicado and in violation of other procedural safeguards.

In many cases, detainees have been taken to undisclosed and unauthorized interrogation centres, known as "safehouses", where interrogation by members of the armed forces intelligence agencies has been accompanied by torture. Detainees have been held in "safehouses" for periods ranging from a few days to several months. Amnesty International knows of instances where detainees held in such "safehouses" have not been seen alive again and are presumed or, in some cases, known to have died as a result of ill-treatment.

Allegations range from "man-handling" by police and armed forces personnel in rural areas and the regular use of intimidation during interrogation, to the infliction of electric shocks, cigarette burns, near suffocation by water or plastic bags, sexual abuse and rape, being forced to stand or squat for long periods, and threats of execution.

Most allegations of torture refer to intelligence personnel from the Philippines Constabulary and other branches of the armed forces.

The Philippines Government has been active in condemning torture in international fora, being a sponsor of the Declaration Against Torture adopted by the United Nations General Assembly in 1975 and making a Unilateral Declaration in October 1979 stating its intention to comply with the Declaration and implement its measures in national legislation and other effective measures. Nevertheless detainees have had great difficulty in getting allegations of ill-treatment or torture impartially investigated.

An illustration of the difficulties faced is provided by the case of 25 people who were detained after a series of arrests in the Manila area between 26 February and 1 March 1982. They included eight active trade unionists and others alleged to have been members of the banned Communist Party of the Philippines. All 25 were held in detention centres, including "safehouses", and were interrogated by intelligence personnel from different branches of the armed forces. During the interrogations, most of the detainees were kept incommunicado. Most of the men later testified that they had been intimidated,



Human rights worker Rolieto Trinidad and his wife in Tagum prison. He signed a confession after being tortured — and was later acquitted (see next page).

threatened, deprived of sleep and given beatings, which included being punched in the stomach, struck on the ears, and hit on the head with rifle butts.

Four detainees, **Marco Palo, Danilo de la Fuente, Edwin Lopez** and **Noel Etabag**, said they had been tortured with electric shocks. Marco Palo, subsequently received hospital treatment for over three weeks.

On 3 March writs of *habeas corpus* and detailed complaints of torture and ill-treatment, were submitted by 17 of these detainees to the Supreme Court, which then

ordered medical examinations of the detainees.

The medical reports on several, mention tenderness of the head, neck, chest and stomach areas, and various scars. The report on Noel Etabag noted pairs of scars caused by punctures on his arms which, he claimed, were caused by electrodes used in his torture; that on Marco Palo noted multiple skin lesions with pairs of scars caused by punctures on his arms and legs.

On 17 April 1982 the 17 detained men individually filed complaints of ill-treatment with the Office of the Inspector General of the Armed Forces. To Amnesty International's knowledge, no public investigation into these complaints has been made nor have the findings of any government inquiry been made public.

On 29 July 1982 complaints of torture were submitted on behalf of 23 of the 25 arrested to the United Nations Sub-Commission on the Prevention of Discrimination and Protection of Minorities. The detainees have also filed a civil suit for 6.5 million pesos (almost \$US500,000) damages against various named military officers responsible for their arrest and detention. The submissions to the Supreme Court were dismissed in November 1983. The detainees have since filed a motion for a reconsideration of their petitions.

Call for preventive measures

Amnesty International has consistently urged the Philippines Government to take steps to prevent torture by ensuring strict implementation of existing safeguards and taking firm disciplinary action against people found responsible for such practices. *The Report of an Amnesty International Mission to the Republic of the Philippines, 11-28 November 1981*, published in September 1982, included reports the mission had received of torture and ill-treatment and recommended various measures for the prevention of torture in the Philippines, such as the abolition of "safe-

houses", the abolition of waivers of detention whereby detainees waive their right to be presented to a judicial authority, and stricter implementation of existing safeguards. Amnesty International also called for independent investigations into the allegations of torture published in its report.

In reply, the Philippines Government dismissed Amnesty International's recommendations, asserting that existing procedures were adequate and rejecting evidence that they had been systematically violated.

Torture alleged after arrests of 'subversives'

Amnesty International has received persistent reports of torture and ill-treatment of detainees who have been arrested after accusations of subversive activities, particularly detainees suspected of association with the New People's Army (NPA), the armed wing of the Communist party of the Philippines.

In one case this year, three farmers from East Kahayagan in Aurora, Zamboanga del Sur, were reportedly tortured by members of the Civilian Home Defense Force and members of a military airborne division while undergoing interrogation about alleged NPA activities after their arrest on 20 March 1984. They are reported to have made sworn statements that they had been tortured while at Camp Dos in Aurora. According to the reports:

- Pio Bercede said he was repeatedly beaten with a radio antenna, hit several times in the face and abdomen, hung by the neck from the ceiling and had several lighted matches put in his mouth.

- Felipe Solon said he was made to eat coal and soil, and Pablo Ponce alleged that he was given electric shocks.

After their transfer later that day to the airborne division's headquarters in Molave, they were reportedly further ill-treated by being kicked, forced to eat rice mixed with hot pepper, and made to squat for long periods. They were released on 22 March, reportedly after having been made to sign statements that they had been humanely treated, and having agreed to kill other suspected members of the NPA.

According to church sources, they have since been subjected to intimidation by military personnel who have allegedly ordered them to withdraw their complaints.

Many of the people who have made allegations of torture to Amnesty International have been active in church-sponsored human rights work or trade union organizations.

- **Rolieto Trinidad**, who works for the Justice and Peace Ecumenical Group and is a former director of the Social Action Center in Tagum, Davao del Norte, was arrested with six others on 16 January 1982 apparently while they were preparing for a seminar on human rights the following day.

Rolieto Trinidad later testified to the following: they were taken to the Philippines Constabulary headquarters in Tagum, where he was beaten while naked and blindfolded, hot pepper was

Ruben Alegre

Ruben Alegre was arrested on 26 August 1984 by a military intelligence official at a house in Las Pinas, a suburb of Manila. A subsequent police statement alleged that he had been responsible for the killing in May 1984 of Brigadier General Tomas Karingal, commander of the Quezon City police, and that he was commander of an NPA liquidation squad. The NPA are reported to have claimed responsibility for the killing. Ruben Alegre himself claimed that he was solely a trader in pork and fish.

After arrest he was taken to the Military Intelligence Security Group (MISG) station at Camp Bagong Diwa, Taguig, Metro Manila, where he was reportedly held incommunicado. According to press reports, he told a Supreme Court *habeas corpus* hearing on 6 September that he had been tortured for three days: given electric shocks to the genitals, tied up and struck on the chest and thighs. At this hearing lawyers acting for him were said to have submitted a medical report concluding that he had been kicked in the head, hit on the thighs with a hammer, struck on the nape of

applied to his eyes, mouth and genitals, and his head was covered with a wet cloth which almost suffocated him. On 18 January he was transferred to the intelligence unit (R-2) attached to the Military Command, Region XI, in Davao City, where, amongst other tortures his fingernails were burned with cigarettes and he was repeatedly nearly suffocated by having a polythene bag put over his head. Eventually he made a statement which, after further torture on 21 January, he signed.

Rolieto Trinidad, who was adopted by Amnesty International as a prisoner of conscience, was later charged with subversion and detained for over two years until his acquittal on 20 February 1984. In dismissing the charges, his trial judge ruled that his confession had been extracted under torture and was therefore inadmissible as evidence.

- Five trade unionists (**Cesar Bristol, Romeo Castilla, Danilo Garcia, Herminia Ibarra and Fernando Reyes**), all organizers with the independent trade union confederation *Kilusang Uno Mayo* (KMU), First of May Movement, or its affiliates, were arrested early on 22 July 1984 while taking part in a meeting the day before a planned mass rally in Manila. The detainees were reportedly held incommunicado and interrogated in the Military Intelligence and Security Group (MISG) station in Camp Bagong Diwa, Taguig, Metro Manila.

They later alleged that they were tortured by beatings, cigarette burns and

APPEAL CASE

his head with an iron bar, and given electric shocks on his genitals.

Please send courteous letters:

- *urging that the alleged torture of Ruben Alegre be impartially investigated and that the methods and findings of the investigation be made public;*
- *urging that — should the allegations prove true — Ruben Alegre be afforded financial compensation for his sufferings, as required by the United Nations Declaration against Torture;*
- *urging the authorities to ensure that detainees are held only in publicly recognized places and that relatives and lawyers have prompt and regular access to them, as a safeguard against torture.*

Send your appeals to:

President Ferdinand E. Marcos / Malacanang Palace / Metro Manila / The Philippines; and to: Colonel Rolanda Abadilla / Chief of the Metrocom Military Intelligence and Security Group / Camp Crame / Quezon City / Metro Manila / The Philippines

electric shocks. At a court hearing for the preliminary investigation of their case before the City Fiscal (prosecutor) of Pasig, their defence lawyers are reported to have displayed to the court evidence of injuries suffered during their detention. The lawyers later wrote to the commander of Camp Bagong Diwa asking for a medical examination of the detainees. No reply had apparently been received by September 1984.

What you can do

Please write a further letter — in addition to your appeal on behalf of Ruben Alegre — expressing your concern about the persistent reports of torture in the Philippines since 1972.

- **Point out that the United Nations General Assembly has condemned torture as "an offence to human dignity".**

- **Urge the authorities to issue clear, public instructions to all military intelligence personnel that torture will not be tolerated under any circumstances.**

Send your letters to the addresses given in the appeal box above.