



# Amnesty International February 1978 Volume VIII Number 2 newsletter

## Political Imprisonment in South Africa

A major report on political imprisonment in South Africa was published by *AI* on 18 January, coinciding with the start of a worldwide campaign by *AI*'s national sections for the release of prisoners of conscience, the repeal of discriminatory and repressive legislation and the end to torture in South Africa.

The 108-page report documents a legal system under which detention without trial, political imprisonment and "banning"—restriction on an individual's freedom of movement, expression and association—have become commonplace. It also examines the notorious Terrorism Act and other security laws used to suppress all black opposition and thus maintain white political control and social privilege. Within this legal structure, the introduction to the report maintains, it is inevitable that individuals will be imprisoned for reasons of conscience.

Torture by security police during the interrogation of political detainees is routine and receives tacit government approval, states the report. Many consistent and substantial allegations of torture have been made by political detainees in recent years. However, the South African government has refused repeatedly to institute a thorough and independent inquiry or to repeal laws like the Terrorism Act which provide for indefinite incommunicado detention.

The report also characterizes as "vindictive and uncompromising" the conditions under which convicted political prisoners are held. At least 38 political prisoners, including the African nationalist leader Nelson MANDELA, are imprisoned for life.

The *AI* report makes no recommendations to the South African government. It states that "certainly, material improvements are desperately required in many areas to protect prisoners from physical ill-treatment, but *AI* believes that no reforms in the present structure will be sufficiently far-reaching to remove the causes of political imprisonment unless the whole system of *apartheid* is dismantled. It is to be hoped that this report will help generate international pressure to achieve this end".

*Political Imprisonment in South Africa: An Amnesty International Report*, 108 pages, price £1.00. Published in English by Amnesty International Publications, 10 Southampton Street, London WC2E 7HF, England, the report is available from *AI*'s national sections.

• **Another Detainee Dies in South Africa:** South African authorities announced on 2 January that another detainee had died in detention.

Moonsamy PILLAY was reported to have died within hours of his arrest on 25 December at Lenasia near Johannesburg. He had been assaulted at the time of his arrest, according to an eye-witness. A doctor called by the police to certify Mr Pillay's death found extensive bruising on his face.

• **Banned Journalist Flees South Africa:**

Donald WOODS, editor of the East London *Daily Dispatch*, a leading South African newspaper, until he was banned for five years on 19 October 1977, escaped from South Africa on 31 December and obtained political asylum in Lesotho. His wife and children also left South Africa and the family is expected to settle in the United Kingdom.

Mr Woods was banned five weeks after the death in detention of his close friend Steve BIKO, leader of the Black Consciousness movement. Mr Woods had challenged publicly the first official version of Mr Biko's death given by Minister of Justice James KRUGER on 13 September, the day after Mr Biko's death, which stated he had died following a hunger strike. Subsequently, Mr Kruger denied making this claim. An inquest found in December that Mr Biko died after suffering extensive head injuries inflicted while he was detained incommunicado by Port Elizabeth security police (January *Newsletter*).

Mr Woods was subjected to partial house arrest and other restrictions affecting his freedom of movement, association and expression. Like all banned people, he could not be quoted in any way, orally or in writing, and was therefore unable to continue as a journalist.

Mr Woods participated in *AI*'s international press conference held on 18 January in London to launch the *AI* report on political imprisonment in South Africa.

**RELEASE OF 10,000 INDONESIAN PRISONERS**

The Indonesian government announced on 20 December 1977 the release of 10,000 category B prisoners who have been held in detention without trial, many of them for more than 12 years. The releases were stated to have taken place throughout Indonesia

and, for the first time, included prisoners from the notorious island of Buru.

*AI* welcomed the announcement, but criticized the government for continuing to detain tens of thousands of other untried political prisoners. *AI* urged the government to make available the names, dates and places of release of the 10,000 reportedly released, and drew attention to the fact that past promises of releases were often not implemented. Having stated repeatedly in the past year that all prisoners will be released by the end of 1979, the government however recently announced that "certain die-hards" would be kept in detention for a longer period.

*AI* is concerned that many of those prisoners reportedly released will in fact continue to be imprisoned after transfer to 16 remote penal colonies in the outer islands of Indonesia. An Indonesia government statement of 21 December admitted that of 421 prisoners in the provinces of south and central Kalimantan, some 331 were to go to so-called resettlement camps. They will be given land and material to build a house but their announced "release" in fact means that they will continue to be confined in those new camps.

A journalist from the Jakarta daily, *Kompas*, who accompanied Admiral SUDOMO, the head of Kopkamtib (the National Security Agency), on an inspection trip of the resettlement areas in east Kalimantan, has revealed that the sums of money set aside for the new camps were grossly inadequate.

To publicize the releases, a group of foreign journalists was allowed, for the first time since 1971, to examine freely conditions on the island of Buru. This visit confirmed the picture given in *AI*'s recent *Report on Indonesia*. Visiting journalists reported that prisoners were used in intensive forced labour. Pramudya Ananta TOER, Indonesia's most famous novelist and himself a prisoner since 1965, said only 20 or 30 of the estimated 14,000 Buru prisoners would opt to stay on the island if they had a free choice.

The *Washington Post* correspondent described the 1,500 reportedly released from Buru as "a long line of gaunt looking men in ragged clothes", and said they consisted of old men aged over 55 or those chronically sick. The American weekly *Newsweek* said

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## HUNGER STRIKER DIES IN MOROCCO

Saida MENEHBI, a 26-year-old woman teacher, died as a result of a hunger strike on 11 December 1977. She was among 137 marxist-leninists, convicted and imprisoned in Morocco for political reasons in February (March 1977 *Newsletter*), who began an indefinite hunger strike on 8 November to protest against prison conditions. They have been subjected to prolonged isolation, renewed interrogation, beating and other forms of arbitrary punishment since the trial.

At the time of Saida Menebhi's death several other hunger strikers were reported to be close to death. *AI* appealed to the Moroccan authorities at the start of the hunger strike, and again following Saida Menebhi's death, to make an urgent review of prison conditions and the prisoners' grievances so as to halt the strike.

A mission, consisting of two lawyers and a doctor, sent to Morocco on 18 December by the *Fédération Internationale des Droits de l'Homme* was officially informed that a commission of Moroccan lawyers would examine the prisoners' conditions. The mission was also assured that the majority of the prisoners ended their hunger strike on 17 December, but received no details of the circumstances of Saida Menebhi's death nor were delegates allowed to visit any of the hunger-striking prisoners. The Moroccan authorities denied that the prisoners' complaints were justified.

## MORE "HELSINKI MONITORS" ARRESTED IN USSR

Five more members of the unofficial Helsinki monitoring groups in the Soviet Union were arrested during December 1977.

Levko LUKYANENKO, a 50-year-old lawyer, was arrested on 12 December at Chernigov in the Ukraine. Mr Lukyanenko became a member of the Ukrainian Helsinki monitoring group in 1976. He had just completed a 15-year term of imprisonment imposed on him in 1961 for participating in a group that protested about human rights violations in the Ukraine and advocated implementation of the Ukraine's constitutional right to secede from the USSR. There is no indication that he has been released from detention and *AI* is concerned that he may face criminal charges and another term of imprisonment.

Robert NAZARIAN, a 29-year-old engineer and clergyman, Shagen ARUTYUNIAN and Ambartsum KHLGATIAN, a 50-year-old worker, were arrested in Yerevan on 25 or 26 December. All three are members of the Armenian Helsinki monitoring group formally established in April last year. Mr Nazarian was one of the group's leaders and had already been harassed and condemned in the official media. Mr Arutyunian had previously served a term of imprisonment for "anti-Soviet activity" for his participation in an Armenian nationalist group. Reportedly all three were released within two days.

PyoTR VINS, a member of the Ukrainian Helsinki monitoring group and son of the

prominent Baptist POC Georgy VINS, was arrested on 8 December on a Kiev-Moscow train and sentenced to 14 days' imprisonment for "hooliganism". He went on hunger strike in protest against this treatment and reportedly received a second 14-day jail sentence. The charge on which this second sentence was based is not known to *AI*.

At the beginning of December 1977 ten other "Helsinki monitors" were in prison in the USSR and a further two were serving sentences of internal exile.

## STATE OF EMERGENCY DECLARED IN BOLIVIA

A state of emergency was imposed by the Bolivian military government on 11 January following their announcement that a widespread subversive plot was behind a wave of hunger strikes which began at the end of December 1977.

On 29 December wives and children of mineworkers who were either deported or remain in detention, occupied the Archbishop's Palace in La Paz and began a hunger strike in protest at the limitations of the traditional Christmas amnesty declared on 21 December. By the first week in January, hunger strikes were also taking place in provincial areas. Four hundred people were estimated to have joined the protest movement, including members of the Permanent Assembly of Human Rights in Bolivia, the Union of Bolivian Women, mineworkers dismissed over a year ago for peaceful trade-union activities, priests and students.

The army has now been placed on alert and protesters fear that attempts will be made to dislodge hunger strikers from buildings occupied by the movement which include La Paz university, the church of Maria Auxiladora, and the newspaper "*Presencia*".

The protesters say they will continue the hunger strike until the government replies to their demands recently issued in a press release. They have called on the government to declare a general and unrestrictive amnesty for all political prisoners and exiles; to reinstate workers dismissed from their posts; to allow trade unions to re-organize and to remove the decree laws which have turned mining regions into military zones and placed the mining population under the military penal code.

Thirty three political prisoners were released in the amnesty, including several prisoners whose cases had been taken up by *AI*. The government also stated that 19 political prisoners, most of whom have been detained without trial for up to two years would be tried by the civil courts.

The government has published a list of 348 political exiles who are forbidden to return to Bolivia because of their alleged involvement in terrorism and acts of violence to achieve political ends. When questioned about the rights of the estimated 19,000 Bolivians in exile to apply for entry visas, President Hugo BANZER said that the amnesty extended to all exiles except those on the list of 348 "extremists".

The list, which has been criticized by political parties and human rights groups in Bolivia, includes opposition leaders and many trade unionists who have previously been adopted by *AI*. It also names two children under 12 years of age and the wives of political exiles. A further inconsistency is the banning of political exiles who have already entered Bolivia with visas granted by the Ministry of Interior. Included too are several political activists known to have been assassinated in Bolivia.

## OVER 11,000 PRISONERS RELEASED IN PAKISTAN

On 1 January the Pakistan government announced that 11,109 prisoners held on political charges by the former government of Prime Minister Z A BHUTTO, had all been freed since the military government assumed power six months earlier. According to press reports, some had been held for more than five years, but most are believed to have been arrested last March during demonstrations and protests against the alleged rigging by the ruling Pakistan People's Party (PPP) of elections in which the PPP was returned to power with a large majority.

The government also announced that the Special Court in Hyderabad trying leaders of the outlawed National Awami Party (NAP) was being dissolved and that the conspiracy charges against the accused had been dropped. The nature of the trial proceedings and the validity of the charges against the accused had been of long-standing concern to *AI* and the abolition of all special courts and tribunals trying political prisoners had been one of the main recommendations made to the previous government in *AI*'s report on Pakistan (June 1977 *Newsletter*). The government abolished special tribunals last September, but an exception was made of the special court trying the NAP leaders.

According to official sources, 68 prisoners detained by the former government on criminal charges are still in detention, and their cases are being reviewed.

## AI GIVES LIST OF 192 PRISONERS TO MEXICAN GOVERNMENT

Names of 192 persons believed to be held in Mexico for politically motivated acts have been sent to Mexican Attorney General Oscar FLORES by *AI*. A further list of approximately 300 persons who have reportedly disappeared in Mexico in recent years, especially in Guerrero state, has also been made available.

*AI* also accepted an invitation to visit all detention centers in Mexico and sought discussions with the government on the 192 cases, among others. *AI* described the categorical denial by the Attorney General on 13 December of the existence of any political prisoners in Mexico as reminiscent of the government's attitude after the student demonstrations of 1968.

# Prisoners of the Month Campaign

Participants in the campaign are reminded that appeals must only be sent to the officials named at the end of each case. In *no* circumstances should communications be sent to the prisoner. It is important for the prisoner that messages to the authorities are worded carefully and courteously and that they are never sectarian.

## Wilmington Ten—USA

The Wilmington Ten are nine black men and one white woman who were sentenced in 1972 to terms of imprisonment ranging from 7–10 years to 29–34 years on charges of burning a store and assault during racial disturbances in Wilmington, North Carolina, USA, in February 1971. The white woman, Ann SHEPHARD TURNER, has been released on parole. The nine men who remain in prison are: Benjamin CHAVIS, Marvin PATRICK, Connie TINDALL, Jerry JACOBS, Willie Earl VEREEN, James McKOY, Reginald EPPS, Wayne MOORE and Joe WRIGHT.

The events leading to the arrest and imprisonment of the Wilmington Ten started with the desegregation of high schools in New Hanover County, North Carolina, in the latter half of 1970. All-black schools were closed down and black students were transferred to schools which were previously all-white. The black students found themselves in a minority and felt that they were excluded from full participation in school activities. They began to press the school administrators for increased black participation in student government, extra-curricular activities, faculty, staff and administration. The conflict between the black students and the school administration culminated in a sit-down demonstration when the school refused to allow an assembly program in honour of Dr Martin Luther King on 15 January 1971. As a result of this demonstration several student leaders were expelled. Their expulsions and alleged acts of violence by whites led to a boycott of the school by the black students.

The Gregory United Church of Christ (UCC) offered facilities for meeting to the students who also received support from parents, religious and community leaders. The Reverend Ben Chavis was sent to Wilmington by the UCC Commission for Racial Justice to help the students. On 5 February 1971 some white residents of Wilmington retaliated against a march organized by Ben Chavis by firing on Gregory Church and its occupants. During the following three days and nights shots were exchanged between the students inside the church and whites outside. One black youth and one white adult were shot and stores in the neighbourhood were burned down.

Fourteen months later, in March 1972, the Wilmington Ten were indicted on a series of charges, including conspiracy to burn and the actual burning of stores, and conspiracy to assault and actual assault of

emergency personnel who tried to extinguish the fires. They were released on bail in June 1972, briefly re-imprisoned after conviction, again released on bail in July 1973, pending appeal, and returned to prison in February 1976 following the US Supreme Court refusal to review their convictions.

All 10 defendants have consistently denied their involvement in the burning of stores and in August 1976 Allen Hall, the key prosecution witness, retracted his testimony against them saying that he gave it only as a result of persuasion and threats by the police. Subsequently other prosecution witnesses have also retracted their testimony (September 1977 *Newsletter*).

• On 23 January Governor James B HUNT Jr of North Carolina announced that the sentences passed on the Wilmington Ten would be reduced to allow parole in June for eight of the men. The sentence on the Reverend Ben Chavis was reduced to permit parole eligibility on 1 January 1980.

However *AI* considers that justice can only be served by an acknowledgement that the ten had been wrongly imprisoned and therefore by their immediate release. *Please send courteously worded letters urging the pardon and immediate release of the Wilmington Ten, to: The Honourable James B Hunt Jr, Governor of North Carolina, Raleigh 27611, USA.*

## Huang HUA—Taiwan (Republic of China)

Huang HUA, a Taiwanese writer aged about 42, was arrested on 26 July 1976 on charges of involvement in "seditious activities". He was sentenced to 10 years' imprisonment on 8 October 1976 after trial by a military tribunal.

Mr Hua had previously been imprisoned in 1967 for alleged seditious activities involving the Society for Promoting Unity of Taiwanese Youth. After his release under an amnesty in July 1975 he contributed articles to an independent journal, the *Taiwan Political Review (Taiwan Chenglun)*, on the need for political reform. The magazine was banned in December 1975.

At Mr Hua's 1976 trial, the tribunal ruled that he had used the *Taiwan Political Review* to "propagate rebellious thoughts" and that he had "attempted to instigate armed rebellion" after the magazine was banned.

According to *AI* information, Mr Hua has not engaged in any violent activity. In November 1976 *AI* launched an appeal against his conviction by military tribunal for exercising his right to freedom of opinion.

Huang Hua is now believed to be in a prison camp on an island off Taiwan's east coast.

*Please write courteously worded letters appealing for the immediate release of Huang Hua to: His Excellency Chiang Ching-kuo, Prime Minister, Executive Yuan, 1 Chung Hsiao E Road, Sec 1, Taipei, Taiwan, Republic of China.*

## Gasim AMIN—Democratic Republic of Sudan

Gasim AMIN, aged 50, a married trade unionist, has been detained since August 1974 without charge or trial under Sudan's state security legislation. He was arrested at Khartoum airport on his return from Czechoslovakia, where he had worked for the International Federation of Textile Workers since 1969. He was founder and president of the Sudan Workers' Trade Union Federation, whose leaders were detained in 1971 in the mass arrests of Sudan Communist Party members and others allegedly involved in the abortive coup.

On 18 July 1977 President Jaafar Nimeiri, announced a "national reconciliation" with opposition elements which included amnesty for all political prisoners (September 1977 *Newsletter*). Those 3,000 political prisoners gradually released were primarily members of the Sudanese National Front (Mahdists and Islamic Charter Front members in particular) and also 100 Southerners. Very few detained members or alleged supporters of the Sudan Communist Party were released. Two died in detention in September and December 1977.

Around 100 alleged communists have now been in detention for periods of between 6 months and 3 years. Gasim Amin is held at El Obeid prison with 7 other political detainees and is denied legal representation.

They are allowed occasional family visits and correspondence. The prison is overcrowded, diet is poor, beds are not provided and medical treatment is inadequate.

*Please send courteously worded appeals for the release of Gasim Amin, asking that he should benefit from the recent amnesty, to: President Jaafar Muhammad al-Nimeiri, Khartoum, Sudan.*

## Prisoner Releases and Cases During 1977

The International Secretariat learned of the release of 1,536 *AI*-adopted prisoners during the calendar year 1977. This was an increase of 262 over the 1,274 prisoners released in 1976.

Some 2,275 new cases were taken up during 1977, an increase of 327 over the number of new cases taken up the previous year.

These figures include the 137 releases *AI* learned of in December and the 201 new cases taken up in the final month of the year.

## Release of 10,000 Indonesian Prisoners

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the men released from Buru "had lived through a harrowing ordeal"; one prisoner died of a heart ailment while being shipped to freedom and another died upon arrival. Other foreign correspondents reported that prisoners were beaten, often cruelly, at some stage on Buru. Serious illnesses afflicted prisoners: tuberculosis is rife, at least 16 cases of leprosy have been reported, and cancer and other critical illnesses are not treated. Several released prisoners had to be moved by stretcher.

Although it was government policy to persuade prisoners' wives to join their husbands on Buru, only 173 have done so, thereby having to endure indefinite detention alongside their husbands. Among those not released was a 21-year-old, who was arrested when he was a boy of nine with his father. His father has since died and the youth remains a prisoner, even though partially paralyzed from a fall in 1972.

Prisoners interviewed told the visiting journalists that they "feared they would be punished after the press party left". One prisoner was placed in confinement immediately after speaking to foreign journalists. Prisoners also spoke of reprisals including beatings following the previous visit by foreign journalists in 1971.

## AI URGES COMMUTATION OF DEATH SENTENCES IN IRAN

Twice during December AI appealed to the Shah of Iran for the commutation of death sentences.

On 16 December in a letter addressed to the Shah, AI repeated an earlier appeal for the reprieve of six men sentenced to death in Isfahan in April 1977 on charges of kidnapping and murdering a religious leader. A copy of the Stockholm declaration on the abolition of the death penalty was enclosed in the letter to the Shah.

On 21 December an urgent action was initiated on behalf of Major General Ahmad MOGHAREBI, sentenced to death in early December on charges of spying for the Soviet Union. His appeal against this sentence was rejected on 18 December and a subsequent appeal for mercy to the Shah himself was also unsuccessful. He was executed on 25 December.

## NOVELIST DETAINED IN KENYA

NGUGI wa Thiong'o, the internationally-known novelist and playwright, who is also Professor of Literature at Nairobi University, was detained under Kenya's Public Security regulations on 12 January. He had been arrested on 31 December, his house searched and his books seized.

On 4 January AI cabled President Jomo KENYATTA of Kenya, expressing concern that Professor Ngugi was still being held incommunicado, and asking that he should be either charged and tried in open

court, if he was alleged to have committed an offence, or released immediately. When it was learnt that an administrative detention order had been imposed, AI cabled a strong protest to President Kenyatta and Attorney General Charles NJONJO. AI renewed its appeal for Professor Ngugi to be tried or freed.

Professor Ngugi was probably detained because of political opinions expressed by characters in his latest novel, "Petals of Blood", and his Kikuyu-language plays, one of which was recently banned. He has been adopted by AI as a prisoner of conscience.

• In December, Oginga ODINGA, 62-year-old former vice-president of Kenya, was also arrested, but was freed on bond without charge after three days in custody. He had previously been detained from 1969 to 1971, when AI adopted him as a prisoner of conscience.

• AI's appeals on behalf of four parliamentarians who are prisoners of conscience in Kenya recently led to a sharp attack in the Kenyan press by Attorney General Njonjo. He said AI was "meddling in Kenya's internal affairs" and was an organization of "frustrated old women and young people". AI's response, which was also published, said that while Kenya had a generally commendable human rights record in comparison with several neighbouring countries, there was still serious concern over the use of indefinite detention without charge or trial.

## SOUTH KOREAN POC MOVED TO HOSPITAL

KIM Dae Jung, aged 52, the leading opposition contender in South Korea's last presidential election by popular ballot, has been moved from prison to a civilian hospital, though he is still a prisoner and is held in close custody in the hospital.

Mr Kim was sentenced to 5 years' imprisonment in 1976 for alleged violations of Emergency Regulation 9, which prohibits all forms of criticism of the administration of President PARK Chung-hee. He suffers from neuralgia and has difficulty walking because of injuries to his hip and leg joints. According to the South Korean government, his move from Chinju Prison, where he was in solitary confinement, to Seoul National University Hospital, is to enable him to receive treatment for his deteriorating condition. Since March 1976 he has been detained continuously in prisons where adequate treatment was not available.

In August 1973 Kim Dae Jung was abducted in Japan by agents of the Korean Central Intelligence Agency (KCIA) and forcibly returned to South Korea.

He was subsequently tried on charges allegedly arising from the parliamentary and presidential elections of 1967 and 1971, and in December 1975 he was sentenced to one year's imprisonment for alleged violations of election laws. He was appealing against this ruling when he was re-arrested

in March 1976, together with 17 other prominent men and women, for endorsing the "Declaration for Democratic National Salvation"—the so-called "Myong-Dong declaration" (April, July, September 1976 and February 1977 *Newsletters*).

AI has consistently urged that, as a minimum, Kim Dae Jung should be given all medical treatment necessary for his condition, and it continues to urge the complete and unconditional release from custody of Kim Dae Jung and all other prisoners of conscience in South Korea.

## POLISH AI MEMBERS HARASSED

In a cable on 12 October 1977 AI wrote to the Polish authorities on behalf of AI members in Poland who had been harassed and detained in Warsaw. According to several press reports Emil MORGIEWICZ, Adam WOJCIECHOWSKI and Zbigniew SEKULSKI were apprehended by Polish militia officers while collecting signatures for the organization's worldwide Prisoners of Conscience Year petition in early October. The militia officers temporarily confiscated the list of signatures and other AI material. Mr Morgiewicz and Mr Wojciechowski were detained and questioned at a police station for one hour.

AI asked the Polish authorities to stop the harassment of its members and stated that the collection of signatures was part of a worldwide AI appeal for the release of prisoners of conscience throughout the world and was not directed against any particular government.

In spite of AI's intervention the three AI members were tried by a Warsaw magistrate and each fined 3,000 zloty (approximately £80.00—an average monthly wage). Over 400 signatures were collected for the petition.

## AI Gives List of 192 Prisoners to Mexican Government

*Continued from page 2, column 3*

The section on Mexico in AI's 1977 annual report cited several specific cases of torture allegations, and other cases have been documented since the report was written. Torture would appear to be most frequent where persons are arrested without a warrant and held in unofficial detention centers. The Attorney General publicly admitted in the Mexican daily newspaper *Excelsior* on 13 December, the existence of "special police corporations" which undertake illegal and anti-constitutional activities.

AI pressed for a full investigation of serious allegations of maltreatment of political prisoners in Guadalajara, and reminded Señor Flores of the report of an AI mission to Mexico in 1975 which had set out its concerns for human rights in the country. These included arbitrary arrest, maltreatment of prisoners and disappearances.

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amnesty international

## campaign for the abolition of torture

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MONTHLY BULLETIN

# Political Abuse of Psychiatry in USSR Continues

Political abuses of psychiatry still occur regularly in the USSR, despite condemnation by the World Psychiatric Association (WPA) at its Honolulu congress last summer (*CAT Bulletin*, October 1977).

Since the WPA congress *AI* has learnt of 12 people who have been forcibly confined to psychiatric hospitals for political rather than authentic medical reasons. Two inmates have reportedly been subjected to compulsory treatment with neuroleptic drugs.

One of these, Mikhail KUKOBAKA, a worker in Byelorussia, was confined to the Mogilev Regional Psychiatric Hospital on 6 October after housing officials had formally complained that an icon and photographs of Academician A D SAKHAROV and former prisoner of conscience Pyotr GRIGORENKO were displayed in his hostel-room. Beginning on 8 October Mr Kukobaka was forced to take neuroleptic drugs, presumably orally. Mr Kukobaka has been forcibly confined to psychiatric hospitals several times previously and has now again been adopted by *AI* as a prisoner of conscience.

Others believed to have been sent to psychiatric institutions late in 1977 are Merab KOSTAVA and Zviad GAMSAKHURDIA, two leading members of the Georgian Public Group for the Assistance of the Implementation of the Helsinki Agreements in the USSR. Both were arrested in April last year for publicly criticizing human rights violations in the USSR and were reportedly sent for psychiatric examination to the Serbsky Institute of Forensic Psychiatry in Moscow. In November a psychiatrist in France obtained confirmation from officials of the Serbsky Institute that Mr Kostava and Mr Gamsakhurdia were both under examination there.

An important source of information on cases of psychiatric abuse has been the unofficial Working Commission for the

Investigation of the Use of Psychiatry for Political Purposes, set up by four Soviet human rights activists in early 1977 (*CAT Bulletin* September 1977). Its members have been subjected to house searches, police questioning and threats of imprisonment.

In October one member, Felix SEREBROV, was sentenced to one year's imprisonment on judicially unfounded charges of using a falsified work record document. The circumstances of his case leave no doubt that he has been imprisoned for his activity in the working commission, and he has been adopted by *AI* as a prisoner of conscience.

Another member of the group, Alexander PODRABINEK, whose *samizdat* book "Punitive Medicine" has been distributed by *AI* in summary form, was warned by the KGB in early December that if he did not emigrate he would be given a long prison term. Mr Podrabinek subsequently made public this warning and his intention not to leave the USSR. On 3 December his brother Kirill PODRABINEK, who had publicly criticized official harassment of Alexander Podrabinek and other human rights activists in Moscow, was arrested. It is not yet known whether he has been charged with a criminal offence. However, a case against him may involve some "small calibre bullets" which he stated in October had been planted in his home by a KGB officer conducting a search.

## TORTURE AND DISAPPEARANCES CONTINUE IN CHILE

In the wake of the Chilean referendum and the reported announcement by head of state General Augusto PINOCHET that—with certain preconditions—a United Nations committee would be allowed to investigate human rights violations in Chile, *AI*, on 6 January, repeated its concern at continuing torture and disappearances in Chile.

*AI* stated that a UN mission should be allowed full and private access to all political prisoners and to all detention centers in Chile. *AI* also hoped that no reprisals would be directed against individuals or organizations which had opposed the referendum.

*AI* continues to regard the human rights situation in Chile as alarming. More than 300 people were detained for political reasons in 1977, and during the same period at least 14 people were reported to have disappeared after arrest. When prisoners are released, most often they are forced into exile.

The torture of political detainees does not seem to have stopped. One prisoner arrested in September 1977, for example, alleges that he was tortured continuously for about 20 hours with electric shocks, beatings with an iron bar, and with a wire tourniquet that was tightened around his skull.

*AI* is still concerned about the plight of over 1,500 people who have disappeared under arrest in Chile since the September 1973 coup. The Chilean authorities have not so far offered an explanation of their fate, despite evidence that many were in the hands of security forces when they disappeared. Relatives of the missing prisoners have been subjected to increasing harassment by Chilean authorities during the past year. Forty were arrested and detained for a short time after a peaceful demonstration in Santiago in November 1977, and the wives of three prisoners were expelled from Chile at the end of November after a journey abroad to publicize their situation.

## COURT REFUSES TO PREVENT TORTURE OF DETAINEE IN NAMIBIA

Fresh evidence of torture by South African security police in northern Namibia was revealed early in December 1977 when Franciscus PETRUS attempted unsuccessfully in the Windhoek Supreme Court to restrain security police from torturing his son.

During the court hearing, a series of affidavits from former detainees alleged that they had been subjected to electric shocks, torture and beatings during interrogation by security police. However, despite this evidence, the court refused to restrain the police from further interrogating or ill-

treating Bernadus PETRUS.

Bernadus Petrus, aged 21, was arrested on 2 December with several other supporters of the main nationalist South West Africa People's Organization (SWAPO), who had travelled from Windhoek to a seminar in Ovamboland. They were first held under Law AG9, which provides for detention without trial for four days. After this period, all the detainees were freed except Bernadus Petrus, who was placed under Section 6 of the Terrorism Act, allowing indefinite incommunicado detention.

The *AI* medical seminar on the medical consequences of torture, postponed in 1977, will be held in Athens on 10-11 March 1978. All medical personnel wishing to attend should contact their national section office or the International Secretariat.

# appeals

## Mikhail Nikolayevich ZHIKHAREV—USSR

Mikhail ZHIKHAREV, a 50-year-old engineer, was arrested in September 1974 in Sochi, Krasnodar Territory, in the south of Russia. He was charged with "dissemination of fabrications known to be false which defame the Soviet state and social system" in connection with a book on modern Soviet history which he was writing. In the 1960s he had been in conflict with local authorities in Sochi for representing some workers in a dispute over bonuses. He reportedly resigned from the Communist Party of the Soviet Union because of subsequent harassment by local officials.

After his arrest in 1974 Mr Zhikharev was given a psychiatric examination and was ruled to be suffering from "mental illness in the form of paranoid psychopathy with exaggerated ideas and tendencies to litigation". The local court confined him to a special psychiatric hospital (a type of institution legally designated for mentally ill people who are "especially dangerous") and Mr Zhikharev was sent to the Chernyakhovsk hospital, some 3,100 kilometers from his home. There he was treated with neuroleptic drugs, which according to his family "brought about a severe deterioration of his state of health". His wife's appeals to authorities on his behalf went unanswered.

In September 1977 Mr Zhikharev was transferred to the Krasnodar Territory Psychiatric Hospital, nearer his home. Such a transfer often signifies official intention to release an inmate from custody, but doctors in the hospital warned Mr Zhikharev that if he did not cease "agitating" for his release, he would be returned to a special psychiatric hospital. It was reported in October that Mr Zhikharev was being treated daily with the drugs haloperidol and tizertsin.

*Please send courteously worded letters to Dr M I Olshevskaya, the head of the hospital section where Mikhail Zhikharev is being held, urging his release. Write to: SSSR, RSFSR, Krasnodarsky Krai, g. Krasnodar, ul. Krasina d.1, Krasnodarskaya Krayevaya Psikhiatricheskaya Bolnitsa, Zaveduyushchoy 1-m Otdeleniem, Dr M I Olshevskoi.*

## USE OF RESTRAINING DEVICE IN GERMANY 'UNACCEPTABLE'

*AI* wrote on 8 December to police and judicial authorities in West Berlin and to the Chief Federal Prosecutor of the Federal Republic of Germany repeating its concern about the application in May 1977 of 'Knebelketten', a device for restraint, to "2nd June Movement" prisoners.

Early in June reports reached *AI* alleging that five prisoners held in connection with the kidnapping of German politician Peter LORENZ in West Berlin in 1975, had been ill-treated during identification procedure

at Berlin police headquarters. *AI* urged an immediate independent medical examination.

A subsequent inquiry initiated by the Public Prosecutor of the Berlin District Court found that the ill-treatment could not be proved, and that there were insufficient grounds on which to bring charges against the police and justice officials concerned. *AI* was, however, alarmed to learn that the application of increasing pressure to the body (wrist or arm) by means of 'Knebelketten' was considered to be lawful and justifiable to obtain prisoners' cooperation with identification procedure.

In its most recent letter, *AI* stated that the use of such a device constituted a severe form of ill-treatment and was unacceptable under any circumstances. It was of utmost importance, said the letter, that such methods be reconsidered and that effective steps be taken to ensure that they were not applied to any prisoners in future.

## AI PUBLISHES REPORT ON TORTURE SEMINAR

The use of torture should be recognized as an international crime of the same gravity as war crimes, genocide and *apartheid*. This is just one of 30 conclusions and recommendations detailed in *AI*'s recently published report of its international seminar on torture and human rights held at the Council of Europe in Strasbourg, France, on 3-5 October 1977. Another significant conclusion is that the principle of non-intervention in the internal affairs of a state is not valid in cases of repeated and systematic torture.

The report of the seminar, which was attended by 92 people representing 20 governments, three inter-governmental organizations and various specialist fields, is introduced by its chairman/rapporteur, Professor Mumtaz SOYSAL, vice-chairman of *AI*'s International Executive Committee. He commends its findings "to the serious attention of all governments, organizations and individuals willing to work to ensure that the disease of torture be wiped out from the world body politic".

Professor Soysal also thanked the Council of Europe for the financial and other help given to *AI*, while noting that the seminar remained wholly the responsibility of *AI* which organized it on behalf of the non-governmental organizations concerned with human rights in consultative status with the Council of Europe.

One of the seminar's two working parties considered the domestic application of professional codes of conduct and other national standards for the protection of individuals against torture. Besides making precise recommendations for the development and adoption of codes of conduct for medical, police, military and legal personnel, the working party recommended—and the seminar adopted—a resolution that "torture should be specifically prohibited in all national constitutions, should be included as a grave penal offence in all civil and

military penal codes, and that civil remedies for compensation should be made available to victims of torture".

The second working party discussed human rights and torture as a factor in international, bilateral and multilateral relations between governments, and the role of inter- and non-governmental organizations in promoting human rights. It was this group which recommended to the seminar that torture should be recognized as an international crime and "that the repeated and systematic use of torture in any state should be recognized as a situation of gross violation of human rights and as a proper matter of international concern. Accordingly the principle of non-intervention in the internal affairs of states can never be recognized as a valid reason for objecting to interventions relating to such situations."

Copies of the seminar report are available from the International Secretariat and *AI*'s national sections.

## DEATH UNDER TORTURE IN TURKEY

Several members of parliament (MP) from the Turkish Republican People's Party have expressed concern in recent public statements that torture is continuing and even becoming more intense in their country. One MP asked: "When are these tortures going to end? When are the torturers going to account for their crimes? Who is training them?"

In October 1977, Two Republican People's Party MPs revealed that a young man named Pir Ahmet SOLMAZ was tortured to death at police headquarters in the town of Elazig. They stated that on the night of 2 September Mr Solmaz was arrested and taken to police headquarters, where he was tortured by electric shocks and beaten on the soles of his feet. One toe nail was torn out, his left ankle was crushed and his body was burned with cigarettes.

Later in prison, Mr Solmaz was examined by a doctor but declared in good health, the MPs allege. Only after a second medical examination was he sent to the state hospital, where he died shortly after arrival. An autopsy revealed that he had died as a result of torture. *AI* is seeking a copy of the autopsy report.

Two other cases of severe torture in Turkey were made known by another MP in November. According to the Republican People's Party representative for Silvas, two prisoners—Yusuf KOCKAYA and Halil KOCKAYA—had been tortured in Silvas Security Prison. In addition the MP charged that torture by the police has become commonplace:

"Methods of torture such as crucifixion, *falanga* (beating on the soles of the feet), beating with truncheons, electric shocks to male organs and women's breasts, pouring acid over the body, extracting fingernails, applying lighted cigarettes to the flesh, and crushing the lungs by covering the body with sandbags and heavy materials and then beating the chest with clubs—all these tortures are being performed at police stations. They are intensifying daily. The police have made torture their daily routine."●