



AI Evidence on Ethiopia Submitted to US Congress

Evidence of a "consistent pattern of widespread and gross human rights violations" committed by the *Derg*, Ethiopia's military regime, was submitted by AI on 28 March to the United States Congress Subcommittee on Africa, chaired by Congressman Charles DIGGS.

AI's submission was presented by Swedish doctor Arnt MEYER-LIE, former head of Ethiopia's medical service, who visited political prisoners in Addis Ababa early in 1976 for a Swedish humanitarian organization.

In its evidence, AI expressed serious concern at:

- the detention without trial of an estimated 8,000 men, women and children in insanitary and overcrowded conditions without medical treatment. AI attached a list of 362 known political prisoners;
- summary executions and extra-judicial killings of large numbers of persons suspected of "anti-revolutionary offences". During March alone, extra-judicial executions by security forces and "people's militia" of more than 2,000 people was reported;
- the use of torture.

AI urged the subcommittee to take note of these and other violations of human rights in Ethiopia and made certain recommendations on how the human rights situation could be improved.

Under Congress Statute 502B, human rights issues must be reviewed in discussions of US foreign military arms sales or grants. In February, the US government cancelled a military grant of US \$6 million because of human rights violations, but press reports claim that arms sales worth up to US \$200 million had also been proposed.

• **Executions in Ethiopia:** On 4 April, AI cabled the chairman of the *Derg* protesting at the public execution by firing squad on 2 April of six persons, described as "counter-revolutionaries" and said to have been convicted of murder by a military tribunal. This was the first instance of public execution by the *Derg* and was witnessed by thousands of people □

death, but as far as is known these sentences have not been carried out. All other sentences were changed to life imprisonment.

AI cabled President Al Gaddafi on 24 March expressing serious alarm at the government's disregard of the rule of law. AI said that such action constituted a danger to fundamental liberties. It invalidated human and legal rights as guaranteed by the Libyan constitution and seriously undermined the independence of the Libyan judiciary. AI urged that the newly-imposed death sentences be commuted □

EXECUTIONS IN THE PEOPLE'S REPUBLIC OF CHINA

Foreign correspondents in Peking, People's Republic of China, reported on 17 March that the High Court of Shanghai had sentenced to death 26 "active counter-revolutionaries" and ordered their immediate execution.

The 26 reportedly included 24 criminals charged with "murder, stealing mail and looting state grain stores" and two prisoners charged with "political crimes". One of the latter was said to have hampered criticism of the purged "gang of four" and the other had reportedly opposed the government policy of sending educated youth to the countryside. "Educated youth" are high school graduates, many of whom are sent to work in the rural areas after graduation.

Reports on 21 March in a Hong Kong Chinese language newspaper, quoted a traveller recently returned from the provincial capital of Foochow, who said that 18 party activists had been executed in Fukien province. Reports in February also mentioned eight executions in the central provincial capital of Wuhan. More recently another three executions were reported in Canton.

The convictions of prisoners who are given heavy sentences in the People's Republic of China are usually announced in public notices posted on city walls. Travellers to several cities reported a number of such notices announcing death sentences during the past few weeks. In several cases it was known that the sentences were to be carried out immediately.

On 25 March AI expressed concern at reports of such large scale executions and at the immediate performance of executions. AI stated its opposition to the death penalty and urged that death sentences be commuted on humanitarian grounds □

LIBYA CARRIES OUT FIRST EXECUTIONS FOR 23 YEARS

The first executions in Libya for 23 years were carried out during April. On 2 April a group of army officers, convicted of planning to overthrow the government in August 1975, were executed by firing squad. The exact numbers involved are not known. At their trial by military court in December 1976, 23 out of a group of 75 people were condemned to death, one *in absentia* (March *Newsletter*). After appealing to a second military court, the number of death sentences was increased to 45.

Appeals were sent by AI sections on 1 April to members of the Revolutionary Command Council urging commutation of these sentences.

On 7 April, according to official Libyan sources, five civilians were publicly hanged in Benghazi convicted of "terrorist sabotage". According to information received by AI these 5 were:

- two students—one adopted by AI—who were arrested after university demonstrations in January 1976, during which a government building was burned down;
- a student, arrested in 1972 after anti-government demonstrations during

which a statue of President Nasser was damaged. The demonstrations took place after the bodies of those killed in a Libyan airliner, shot down over Sinai by Israel, were being brought back to Benghazi;

- a Libyan and an Egyptian, arrested in September 1976 after allegedly planting a bomb in Benghazi port.

They had been tried *in camera* by a People's Court in March. No right of appeal was permitted.

AI cabled President Mu'ammr AL GADDAFI on 12 April expressing deep shock at these executions and urging that further executions be stopped.

Earlier, death sentences had been passed on two of a group of 40 AI-adopted prisoners detained since 1973. This group had been tried in January by a specially constituted People's Court on charges of belonging to illegal political parties and sentenced to between 4 and 15 years' imprisonment. On 24 February the Revolutionary Command Council decreed that these sentences be amended, so that Al Mabruk Abdul Mawla Al Zoul and Abdul Ghani Muhammad Khanfar, originally sentenced to 15 and 10 years' respectively, were condemned to

AI PUBLISHES BRIEFING ON TURKEY

The application of articles 141, 142 and 163 of the Turkish Penal Code is generally incompatible with those articles of the United Nations Universal Declaration of Human Rights and the European Convention on Human Rights which guarantee freedom of thought, conscience and religion, freedom of opinion and expression and freedom of peaceful assembly and association, *AI* said in a 12-page briefing paper it published on 21 April.

In criticizing the existence of legislation which is used to imprison non-violent political opponents of the government, *AI* says that those sentenced under articles 141 and 142 of the penal code include journalists, academics, writers and publishers. One case referred to in the briefing paper is that of Professor Server TANILLI of Istanbul University Law Department, who has been charged under article 142 with encouraging communism in his text-book *History of Civilization*.

According to the document the use of torture has become routine practice in at least two police stations—Ankara Emniyet Sarayı and the First Bureau of the Istanbul Police at Gayrettepe—and an extract is given from a doctor's statement which corroborates one allegation of torture.

Reference is also made to the political murders which have taken place in Turkey since the present coalition government, headed by Mr Suleyman DEMIREL, came to power. The paper says: "There seems little doubt that the killings are mainly the work of rightwing commando groups allied to the neo-fascist National Movement Party" and points out that most of those killed have been leftwing students.

Amnesty International Briefing on Turkey: is published by Amnesty International Publications, 53 Theobald's Road, London WC1X 8SP, England, and is available from *AI*'s national sections. Price 40 pence (US \$1.00), plus postage and handling. Annual inclusive subscription price for 10 individual country briefing papers: £6 (US \$15.00) post paid.

NEW INDIAN GOVERNMENT RELEASES POLITICAL PRISONERS

Following elections in March for a new *Lok Sabha* (parliamentary lower house) in which the Janata People's Party gained an overall majority, the new coalition government ordered the release of all political prisoners held under emergency regulations. It has fully revoked the state of emergency and lifted the Maintenance of Internal Security Act.

Mr Morarji DESAI, the new Indian prime minister, and several other government ministers, were themselves detained during the emergency. They were adopted by *AI* as prisoners of conscience.

The new government has also already restored certain fundamental rights of the constitution which were curbed under the emergency. The government has promised to repeal at an early stage the legal changes and

constitutional amendments made during the emergency which affected the fundamental rights of Indian citizens. It has also lifted the ban—imposed during emergency rule—on 27 parties and organizations.

AI Secretary General Martin ENNALS cabled Prime Minister Desai on 25 March, congratulating him on his appointment and wishing him success in restoring fundamental rights of Indian citizens. In reply, Mr Desai sent the following message to *AI*: "I am grateful to you and to *AI* for your message of congratulations on my assumption of office as prime minister of India. My colleagues and I warmly recall the efforts made by *AI* for the restoration of fundamental freedoms and civil liberties".

In subsequent correspondence *AI* has drawn attention to the "Naxalite" prisoners who were the subject of an *AI* report published in September 1974 entitled *Short Report on Detention Conditions in West Bengal Jails*. Although the Indian government has announced its intention to release or try those arrested during the emergency, there are many "Naxalites" who have been detained for several years who would not be covered by the measures announced so far.

Prisoner Releases and Cases

The International Secretariat learned in March of the release of 176 prisoners and took up 290 new cases.

APPEAL COURT FREES NAMIBIANS SENTENCED TO DEATH

Hendrik SHIKONGO and Aaron MUCHIMBA, two Namibians sentenced to death after a three month Terrorism Act trial at Swakopmund in May 1976, were acquitted and released by the South African Appeal Court on 17 March (July 1976 *Newsletter*). Two Namibian women, Rauna NAMBINGA and Anna NGHIHONDJWA, who were jailed for 7 and 5 years respectively at the Swakopmund trial, were also acquitted and discharged. All four prisoners had been adopted by *AI*.

Upholding the appeal lodged by the four Namibians, South African Chief Justice F.L.H. RUMPF said that security police interference with defence arrangements during the trial constituted a "gross irregularity" in court procedure and a serious breach of the privilege which existed between attorney and client. As a result, the defendants had been denied the possibility of a fair trial. He acquitted the prisoners and ordered their immediate discharge.

Shortly before the Appeal Court decision was announced, Axel JOHANNES and Victor NKANDI, two Namibians who had been called as state witnesses at the Swakopmund trial and each jailed for one year for contempt of court when they refused to testify, were released from custody in Windhoek (April 1976 *Newsletter*). They were immediately re-detained and are now reported to be held under Section

6 of the Terrorism Act, which allows for indefinite incommunicado detention. Both Mr Johannes and Mr Nkandi are adopted by *AI*.

• **AI Publishes Briefing on Namibia:** *AI* said on 3 April that African nationalist opponents of the illegal South African administration in Namibia are liable to arbitrary arrest, detention without trial and torture.

AI expressed its concern about the human rights situation in Namibia in a 16-page briefing paper, which criticizes South Africa's continued administration of Namibia, declared illegal by the United Nations in 1971, and the repressive nature of its policies. In particular, the paper condemns the far-reaching provisions of the Ovamboland emergency regulations and security laws like the Terrorism Act, which allow the police to detain any person without charge for an indefinite period. Detainees are invariably held incommunicado. It is this feature, the paper states, which has led to the use of torture on an institutionalized scale.

The paper also details:

- the widespread use of detention without trial to suppress political opposition and intimidate opponents of continued South African rule in Namibia;
- the imprisonment in South African—rather than in Namibian—prisons of Namibians convicted of political offences, and the South African authorities' refusal to grant remission of sentence to such political prisoners;
- the use of the death penalty for certain political and criminal offences.

AI comments that, despite the general intensification of guerrilla warfare in northern Namibia since Angola became independent in 1975, there have been remarkably few trials of persons charged with offences connected with the guerrilla war. This suggests that captured guerrillas are either subjected to indefinite detention or are tried in secret, as the South African authorities do not regard them as prisoners of war.

Amnesty International Briefing on Namibia: 16 pages, is published by Amnesty International Publications, 53 Theobald's Road, London WC1X 8SP, England. Price: 40 pence, plus postage.

SECRETARY GENERAL INTRODUCES AI TO GOVERNMENT IN LEBANON

AI Secretary General Martin ENNALS introduced *AI* to the new government in Lebanon in February. During a meeting with new Minister of Justice Farid Raphael and new Minister of the Interior Saleh Salmane in Beirut on 28 February, Mr Ennals discussed the security measures designed to restore normality to the country after 19 months of fighting.

Mr Ennals discussed with the ministers reports that the, largely Syrian, Arab peace-keeping force, engaged in maintaining security in Lebanon since the October 1976 ceasefire, had imprisoned several Lebanese citizens in Syria because of their alleged opposition

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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.

Roque ROMERO, *Argentina*

Roque ROMERO, secretary of the mechanics' trade union in Córdoba, Argentina, was arrested in October 1975 under state of seige legislation. He has not been charged or tried and may be held indefinitely.

Señor Romero is currently detained in Resistencia Prison in the north of Argentina. A letter from the prison governor received recently by *AI* states that the military authorities responsible for the area have prohibited all visits to and correspondence with political prisoners "until further notice".

Reliable reports indicate that Señor Romero's long period of incommunicado detention and harsh prison conditions have led to a serious deterioration in his health. He suffers from chronic conjunctivitis and it is believed that he may be going blind. It is impossible to verify the prison governor's statement that this is not the case and that Señor Romero is receiving medical treatment. Even when medical treatment is given, *AI* has well-documented evidence that it is frequently inadequate.

Señor Romero's detention probably results from his lawful and peaceful trade union activities. But the Argentine government is currently investigating the possibility of charging him for "possession of arms and intimidation of the public in connection with his affiliation to leftwing organizations".

AI believes there is no substantial basis for such charges. Before the March 1976 military coup, prominent trade unionists are known to have carried small, legally permitted firearms for their protection against physical attack by extreme right-wing groups.

Roque Romero is one of more than 400 workers and trade unionists known to *AI* who have been detained, abducted or killed over the last 18 months.

Please send courteously-worded letters, appealing for the release of Roque Romero, to: Señor Presidente de la República Argentina, General Jorge Rafael Videla, Casz Rosada, Buenos Aires, Argentina.

Elijah MASIANE, *Rhodesia*

Reverend Elijah MASIANE, a 40-year-old minister in the Evangelical Lutheran Church, was detained at his home in Rhodesia's Dibilishaba Tribal Trust Land in June 1975. His arrest occurred after he inquired at the police station at Gwanda about a fellow priest detained under Rhodesia's Emergency Powers Regulations. After his arrest Reverend Masiane was himself taken to Gwanda police station where he was brutally assaulted and tortured with electric shocks during

interrogation.

In mid-July of that year, Reverend Masiane was charged with offences under Rhodesia's Law and Order Maintenance Act and held on remand at the maximum security prison at Khami. It was alleged that Reverend Masiane had helped to recruit nationalist guerrillas, an offence which carries a mandatory death penalty in Rhodesia.

On 30 September all charges against Reverend Masiane were withdrawn. However, he was not released but moved instead to Bulawayo prison. There he was served with a detention order, signed by the Minister for Law and Order, which provides for detention for an indefinite period. On 16 October Reverend Masiane was moved to the detention section of Wha Wha Prison.

Married with six children, Reverend Masiane is also responsible for the welfare of his elderly parents.

Please send courteously-worded letters appealing for the release of Reverend Elijah Masiane, to: Hilary Squires, Minister of Justice, Law and Order, Causeway, Salisbury, Rhodesia.

Ljuben Georgiev and Anastasia HADJI-DIMITROV, *Bulgaria*

Ljuben Georgiev HADJI-DIMITROV, a 55-year-old architect living in Vinica, Bulgaria, was arrested at work on 7 September 1976. His arrest was followed on 28 September by that of his wife, Anastasia, who had apparently been dismissed from her work without notice almost two months earlier.

They have reportedly both been charged with planning to leave Bulgaria illegally and with possession of propaganda hostile to the regime. It is thought that the propaganda in question consists of letters from their three children who were granted political asylum in Switzerland two years ago.

AI does not know where Mr and Mrs Hadji-Dimitrov are imprisoned, nor the date of their trial. Mrs Hadji-Dimitrov suffers from chronic rheumatism and heart trouble and there are considerable fears for her health.

Mr Hadji-Dimitrov is not believed to have been involved in any political activity or organization in Bulgaria. However, after their children were granted asylum in Switzerland, the parents were reportedly harrassed by police. The letters from their children were reportedly confiscated by police during a search of their home in their absence and were used as prosecution evidence. Their family feels that Mr and Mrs Hadji-Dimitrov have been imprisoned only for applying to go legally to Switzerland.

Please write courteously-worded letters,

appealing for the release of Ljuben Georgiev and Anastasia Hadji-Dimitrov, to: Todor Zhivkov, Chairman of the State Council, Sofia, Bulgaria; and to: Svetla Daskalova, Minister of Justice, Sofia, Bulgaria.

Secretary General Introduces *AI* to Government in Lebanon

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to the Syrian government rather than because they constituted a threat to security in Lebanon. They include members or associates of the Lebanese branch of the Iraqi Baath Party.

The Lebanese authorities would not confirm these reported arrests. They explained that security was the overriding priority and took precedence over individual civil liberties in such abnormal times—the government was forced to rule by decree, there was strict press censorship, no courts of law, prisons or police force.

On 27 February, Mr Ennals had visited Damascus, Syria, to discuss with the head of international relations at the Syrian Foreign Ministry the rights and treatment of persons taken from Lebanon and imprisoned in Syria. He also discussed the possibility of a high level factfinding *AI* mission visiting Syria □

IMPRISONED SOVIET *AI*-MEMBER RECEIVES HOSPITAL TREATMENT

Sergei KOVALYOV, an imprisoned member of *AI*'s Moscow group, underwent surgery in a Leningrad prison hospital for the removal of a polyp in his rectum. The polyp, presumably related to the haemorrhoid condition from which Dr Kovalyov has suffered for a number of years, was diagnosed by doctors at the labour colony earlier this year as a possible symptom of cancer. However, it was reported after the operation that the polyp was not cancerous.

Sergei Kovalyov is currently serving a sentence of 7 years' imprisonment and 3 years' exile for "anti-Soviet agitation and propaganda". *AI* has for some time been concerned at the apparent lack of medical treatment for his haemorrhoid condition. Surgery had been recommended before his arrest in 1974 but was not allowed until March, and dietary and labour conditions at the labour colony may have aggravated his condition.

When doctors at the colony told Dr Kovalyov they had diagnosed the polyp, he refused to undergo surgery under colony conditions and asked instead that he be transferred to a prison hospital in Leningrad, where he believed that he would receive proper medical attention. He was reportedly told that he would not be sent to Leningrad for treatment and that no political prisoner had ever been transferred there for medical attention.

Writing to Soviet authorities in February, continued on page 4, column 1

Imprisoned Soviet AI-Member Receives Hospital Treatment

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AI urged that Dr Kovalyov be transferred for treatment to the Leningrad prison hospital and that he be released from imprisonment on medical grounds. On 14 February, during a visit to the Soviet Union, the assistant director of AI's British Section went to the USSR Ministry of Internal Affairs in Moscow to petition in person for Dr Kovalyov's transfer.

On 2 March, officials told Ludmilla BOITSOVA, Dr Kovalyov's wife, that her husband would be transferred to the Leningrad prison hospital for examination and treatment.

• **Yury Orlov Arrested in Moscow:** Dr Yury ORLOV, chairman of the Moscow-based "Group for the Assistance of the Implementation of the Helsinki Agreements in the USSR" was arrested in the capital on 10 February. Another member of the Moscow Helsinki group and two members of a Ukraine Helsinki group were arrested earlier in February (*February-Newsletter*). All four are still in detention.

Dr Orlov is a physicist, the author or co-author of at least 24 published scientific works and a corresponding member of the Academy of Sciences of the Armenian SSR. He became chairman of the Helsinki Group at its foundation in May 1976 after several years of involvement in human rights activity in Moscow.

In 1976 Dr Orlov was detained for questioning and searched a number of times in connection with the group's activities. After a search of his home in January this year, he was told that a criminal case was being prepared against group members.

At that time AI wrote to Soviet authorities urging that no criminal case be undertaken in connection with the group's activities.

After fellow group member Alexander GINZBURG was arrested on 3 February, Dr Orlov left Moscow for a week, but was arrested the day after his return. Exact charges against Dr Orlov and the other three arrested members of the Helsinki Group are not yet known.

At the time of Dr Orlov's arrest, the Helsinki Group had published 17 reports documenting Soviet violations of the Final Act's various human rights provisions □

AI APPEALS TO THAILAND TO RELEASE POLITICAL PRISONERS DETAINED WITHOUT TRIAL

On 5 April AI cabled Prime Minister Thanin KRAIVICHEN of Thailand expressing concern at the continued detention without trial of political prisoners. In its appeal AI asked for an immediate amnesty for all untried political prisoners, noting that six months had passed since the October 1976 coup in Thailand. AI also asked that all those whom the government intended to bring to trial should be released on bail pending trial.

According to AI information, about 8,000 people were arrested in Bangkok and the provinces in the period following the coup. A substantial number of these have been released, but more than 1,500 people still remain in prison. None of them have been brought to trial □

GOVERNMENT CRITIC DISAPPEARS IN IRAQ

AI has received reports that Talib AL BAGHDADI, a university professor of political economy, disappeared in Baghdad, Iraq, at the end of 1976.

The reports claim that Mr Al Baghdadi disappeared after criticizing a statement on the Iraqi economic situation made by Saddam HUSSEIN, vice chairman of the Revolutionary Command Council. Mr Al Baghdadi was summoned to see Mr Hussein and failed to return.

His family were assured that he would return within three days but there was still no news of him by early April. AI groups have been asked to make inquiries with the Iraqi government about Mr Al Baghdadi's whereabouts □

AI APPEALS FOR SUPPORT IN PRISONERS OF CONSCIENCE YEAR 1977

AI's International Executive Committee (IEC) at a meeting on 3 April reaffirmed its commitment to raise worldwide awareness regarding the widespread incidence of imprisonment, torture, disappearance and murder as a means of political repression, and stressed the need to intensify its work for the victims of these human rights violations.

The IEC, therefore, in Prisoners of Conscience Year 1977 appeals to the people of all countries to support financially the work of AI and to sign its international petition for the immediate release of all prisoners of conscience □

REPORT ON PAKISTAN PRISONERS

A report, based on the findings of an AI delegation to Pakistan in April and May 1976, was submitted to the Pakistan government for its comments on 31 March. The report describes the situation concerning political prisoners in Pakistan and makes a number of recommendations □

DEATH SENTENCES CARRIED OUT IN HUNGARY

A Hungarian citizen, Imre MISKEI, was reportedly executed in Hungary on 28 March after his appeal for clemency was refused. He had been convicted of the murder of a child.

AI had appealed on 2 January to the

First Secretary of the Hungarian Socialist Workers' Party, János KADAR, to commute the death sentence passed on Mr Miskei by the Budapest metropolitan court in December 1976.

Shortly after AI's appeal, the Hungarian daily newspaper *Nepszabadsag* published an article stating that it would not be considered. The main reason cited was that Hungarian legislation guarantees the independence of the courts and that, therefore, the final decision in Mr Miskei's case would be taken by the Supreme Court regardless of any intervention. The article expressed surprise at AI's intervention on behalf of an habitual criminal and said that AI's appeal could not be justified by the organization's unreserved opposition to the death penalty.

Replying to the article, AI explained that its statute opposes the imposition of the death penalty regardless of the crime committed and that the organization's appeal was restricted to the issue of the death sentence.

Death sentences in Hungary are passed only in cases of premeditated homicide. Between 1973-1976, ten individuals were executed for such crimes, according to Hungarian statistics □

21 POLITICAL PRISONERS RELEASED IN HAITI

The release of 21 political prisoners after a government inquiry was announced in Haiti on 2 March. AI had taken up the cases of 11 of the prisoners, most of whom had been detained without trial since 1969.

The released prisoners reportedly include Jean Claude EXULLIEN, a teacher arrested in 1976. AI had asked President Jean Claude DUVALIER on 9 January for more information about Mr Exullien and a number of other prisoners (*February Newsletter*). Another reportedly freed prisoner, peasant farmer Dieudonné AUGUSTE, was described as "unknown" by the government when the Inter-American Commission on Human Rights inquired about him.

AI has welcomed these releases of political prisoners held without trial and called on the Haitian government to extend the same procedure to other prisoners detained without trial □

AI URGES CHAD TO COMMUTE DEATH SENTENCES

AI appealed to the Head of State of Chad, General Felix MALLOUM, on 31 March to commute the death sentences passed on Hassan Abakar ADEF, Djibrine ABDERAMANE, Idriss DJARMA and Mahamat TAHER, for their part in the assassination attempt on the president on 13 April 1976. In spite of the appeal, they were executed on 4 April.

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AI Publishes Report on The First Greek Torturers' Trial

On 16 April AI published *Torture in Greece: The First Torturers' Trial 1975*. The 96-page report focuses on the trial, held in August and September 1975, of 32 Greek military police officers and soldiers before the Athens Permanent Court Martial on charges of acts amounting to torture carried out during the dictatorship of the Junta of Colonels from 1967 to 1974. The commanding officers received heavy prison sentences.

However, in the many trials that followed, the sentences often fell far short of being exemplary. As recently as February 1977, four of the five senior Athens gendarmerie torturers and four of the five Athens senior security police torturers were released or merely fined on appeals against their earlier convictions.

AI's report focuses on the first torturers' trial in Greece because it established that torture was practised by the junta's military police on a systematic scale as a means to enforce authority, and proved that torture can be punished by the ordinary criminal process.

After the first torturers' trial, the Greek government, for whatever reasons, has allowed the torturers to escape lightly. In the report AI criticizes the present government for failing to enact domestic legislation against torture, to try all the junta's torturers, or to compensate the torture victims. The prosecuting authorities have not undertaken a thorough, centrally coordinated investigation of the junta's system of torture, which would have been possible under existing Greek law, but instead have investigated only those cases that were first taken by plaintiffs to civilian courts. With the exception of one trial (a navy court-martial), there would have been no torture trials at all had the initiative been left entirely to the prosecuting authorities acting either *ex officio* or on instructions of the government.

As a result of this method of investigation and prosecution, there are cases of torturers who will not be tried because their victims refused to sue privately, believing as a matter of principle that it was the state's responsibility to prosecute the torturers without the pressure of private lawsuits. Some accused, but unprosecuted, torturers continue to serve in the Greek security forces.

On 14 March of this year the prosecuting authorities, apparently with the approval of the Greek minister of justice, appealed against the sentences of the military police officers convicted at the 1975 trial. If this appeal follows the pattern set by the courts and the prosecutors, the sentences for torture will be massively reduced or else commuted to small fines.

In this context, the first Greek torturers'

trial, which was able to apportion blame for individuals' involvement in torture, stands as a better model for trying accused torturers than the series of trials that followed.

AI began work on this report on the first trial late in 1975, immediately after the trial's completion. Painstaking translations were made of unofficial transcripts printed in Greek newspapers. This was the only way to proceed because official Greek court minutes exist only in note form. The historic nature of this trial caused the Greek press to cover the proceedings in detail and to print verbatim testimonies and courtroom dialogues. It was thus possible to corroborate the accounts between two, and sometimes three, sources.

The trial began on 7 August 1975, when 14 officers and 18 soldiers of non-commissioned rank were court-martialled on charges including "repeated abuse of authority, unconstitutional detention, recurrent moral responsibility for ordinary or serious physical injury". Like subsequent torture trials, the prosecution of these men was prompted by the accumulative pressure of private lawsuits brought by several former prisoners against their torturers in the absence of public prosecution.

The defendants were all members of the junta's military police (*Elliniki Stratiotiki Astynomia*—ESA) who had served in the Special Interrogation Section in Athens, at its training center, at its Piraeus Section or at the military prison in Boyati. Towards the end of 1968, ESA was given almost absolute powers of arrest, detention and interrogation.

Most notorious among the accused were Major Theodoros THEOFILOYANNAKOS, who became commander of ESA in August 1970, and his second-in-command and successor, Major Nikolaos HAJIZISIS. It was under Theofiloyannakos that the efficient process of shadowing, arrests and interrogation techniques was built up, with the full support of Brigadier Dimitrios
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SOLDIERS CONVICTED OF TORTURE IN THE PHILIPPINES

Three members of The Philippines security forces have reportedly been convicted on torture charges. *The Philippines News*, published in the United States, reported on 12 March that a military court had sentenced two members of The Philippines Constabulary to 6 months' hard labour for torturing political prisoners. A third defendant, Lieutenant Clifford NOVERAS, was convicted on charges of torturing three detainees in 1974 and dismissed from military service. A fourth defendant, Sergeant Jacinto GALICIA will be tried on similar charges by a separate court-martial.

The court-martial against the three men is the only known instance in the last year of court proceedings in The Philippines against members of the security forces alleged to have tortured political prisoners.

When the hearings began in September 1976, two military doctors testified that the three prisoners maltreated had suffered injuries. One prisoner had been burned with a hot iron, another forced to swallow an iron ball, and a woman prisoner had been sexually mistreated.

Three of the four accused men were named in the report of an AI mission that interviewed prisoners in The Philippines in November/December 1975. The mission report listed a total of 88 security force officers named as torturers by prisoners in interviews with the AI mission delegates. The mission report also recommended that all the 88 cases should be investigated by open and independent commissions of inquiry □

POLISH WORKER ON HUNGER STRIKE

A Polish worker, sentenced to 9 years' imprisonment for his part in the June 1976 food riots, has reportedly gone on hunger strike until all workers convicted following the June events are freed or granted just trials (Appeal, January *CAT Bulletin*).

Czeslaw CHOMICKI is reported by unofficial sources to be held in solitary confinement with no contact with other prisoners and deprived of daily exercise. He reportedly weighs only 47 kilograms and is under serious mental stress.

Complaints submitted to the Polish authorities by Mr Chomicki and other imprisoned workers have claimed that statements confirming the workers' participation in violent attacks against the Communist Party headquarters were extracted during extensive maltreatment. Mr Chomicki reportedly says this was not taken into consideration by the court. He also claims that workers were convicted on insufficient evidence □

appeals

Gonzalo BARRON, *Bolivia*

A group of Bolivian Roman Catholic priests has publicly protested the arrest and arbitrary detention in early March of a university student, Gonzalo BARRON. In a statement issued on 8 March, the priests said that the student was detained in Cochabamba by officials of the security police, the Directorate of Public Order (DOP—*Dirección de Orden Público*).

The DOP refused to provide any information about Señor Barrón or to allow relatives to visit him. This attitude, say the priests, "makes us assume that the student's physical integrity has been impaired in the police cells".

As this *CAT Bulletin* went to press, there had been no official report of Señor Barrón's whereabouts nor any reason given for his arrest.

On 12 March, four days after the priests' statement, the Bolivian Deputy Secretary of the Interior, Dr Juan GAMARRA publicly stated in Geneva that charges of human rights violations in Bolivia were "unfounded". He said that the Bolivian Bishops' Conference was allowed to visit prisons and that its secretary, Monsignor Alejandro MESTRE, had admitted that torture was not used. On 17 March, Monsignor Mestre denied the minister's claims and said that there were "deplorable cases of inhuman treatment of prisoners" in Bolivia.

Please write courteously-worded letters, expressing concern about the procedure used in the arrest of Gonzalo Barrón, and requesting full protection of his legal and human rights, to: Señor Presidente de la República, General Hugo Banzer Suárez, Palacio Quemado, La Paz, Bolivia; and to: Señor Subsecretario del Interior, Dr Juan Gamarra, Ministerio del Interior, La Paz, Bolivia.

Copies of your letters may be sent for information to the Roman Catholic Bishops' Conference: Conferencia Episcopal, Casilla 205, Sucre, Bolivia.

ROMANIA ACCUSED OF PSYCHIATRIC ABUSES

Paul GOMA, a Romanian dissident novelist, has reportedly alleged that a number of people are detained in psychiatric institutions in Romania for political reasons.

Mr Goma's allegations were reported at the end of March. He claimed to know four persons who have spent up to 6 months at a time in such institutions, allegedly because they refused to sign a pledge of allegiance to the Romanian government drawn up in 1975. He named four mental hospitals used for this purpose, two of them in the capital, Bucharest.

Recent reports from other sources appear to confirm Mr Goma's allegations and *AI* is currently attempting to obtain more information □

AI Publishes Report on The First Greek Torturers' Trial

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IOANNIDIS, who inspired the system.

The evidence presented at the court-martial consisted of testimonies from nearly 130 persons. From this mosaic of individual suffering a larger picture emerges of a consistent pattern of arrest, torture and interrogation by ESA. The accumulative evidence of a systematic routine of torture, including training for torture, is striking. Indeed, it was this consistency that constituted the most persuasive part of the prosecution case.

The details of torture briefly summarized in the report confirm two previous *AI* reports on Greece issued during the period of the junta. From the testimonies it is possible to trace the psychological experience both of torturers and their victims. The victims' profound feeling of helplessness is particularly notable. They recorded their reactions to threats such as that made by Ioannidis to Anastasios MINIS, "You know it is possible that some parts of your body might be destroyed".

After being forced to stand upright for days on end, victims had hallucinations and suicidal impulses. "They wanted to give us the sensation that we were forgotten", said Mrs Virginia TSOUDEROU (arrested in March 1973), "and that there was no one to care for us".

On the other side, the extensive training and personal allegiances demanded from ESA soldier conscripts placed them in a surprisingly similar position. To prepare them for their lives as torturers, new conscripts were themselves tortured, and were beaten in lecture halls and during lessons. The beatings continued even after they left the training center and were posted as guards at ESA headquarters or one of the other military police torture centers. "We are a poor but decent family. . .", said the father (a farmer) of one of the soldier defendants, "and now I see him in the dock as a torturer. I want to ask the court to examine how a boy who everyone said was a 'diamond' become a torturer. Who morally destroyed my family and my home?"

The officer defendants were, on the whole, the interrogators who had ordered and supervised the torture rather than the men who had actually used the clubs and whips. "How could Greek officers sink to this moral degradation? Who are those responsible?" asked the trial prosecutor. "Were they born with criminal instincts, or did external factors deform their characters? It is certain, members of the tribunal, that those morally responsible are not in this court. They are those who used the defendants. . . who inspired in them wrong ideas about our national interest. They are those who, for many years, have given thousands of hours' instruction on the fighting of communism without sparing even one hour to the defence of democracy".

The report attempts to answer these

questions by exploring the historical events, starting with the 1935 purge from the military officer corps of all but royalist sympathizers, that fostered the ideology and mentality of the military torturers. By 1967 the two predominant groups within the military officer corps were conspiratorial rightwing extremists, from whom the Colonels sprang, and conservatives (mostly royalists) who filled the highest echelons. The coup overturned this coalition when the junior partners in the alliance, the Colonels, asserted their supremacy over their former senior officers. The report sketches the historical relations between these two groups, who were, respectively, the chief officer defendants and some of the chief prosecution witnesses at the 1975 trial.

The trial was concerned with the attempt to pinpoint personal responsibility for specific acts of torture. Considerable attention was paid during testimony and cross-examination to the case of Major Spyros MOUSTAKLIS, who appeared in court although mute and partially paralysed as a result of torture three years earlier by teams of ESA torturers. During the trial other torture victims also named the assailants of Major Moustaklis in their testimony. Despite several defendants' evasions and denials, the court was able to apportion blame for the torture of Major Moustaklis—which one defence counsel called "the most serious offence that has come before this court"—to Major Hajizisis, one of the former ESA commanding officers.

As in the Nürnberg trials, the defendants (with the exception of one soldier) denied all charges against them and nearly all based their defence, as did the accused at Nürnberg, on the position that they were required to obey orders. Major Hajizisis by contrast, in his five-hour concluding defence to the court-martial, argued that his actions were legitimate: "We were completely covered legally and by the chain of command. The hierarchy started from the minister for national defence and went right down to the officer in command... I will personally not allow anyone to rob me of the sweat of those seven years at EAT/ESA. It has watered the ground there and become one with the soil and the asphalt. . . It was a duty to the leadership of the armed forces."

Despite the government's shortcomings in bringing all the torturers from each of the junta's security agencies to trial, the first trial of military policemen provides an example of torturers brought to trial and punished. The process of detection, trial and sentence is here seen to work with torturers as well as with other criminals. A contemporary precedent now exists to show that political torture is not a crime of immunity outside the rule of law.

*Torture in Greece: The First Torturers' Trial 1975: 96 pages. Price: 85 pence. Published by Amnesty International Publications, 53 Theobald's Road, London WC1X 8SP, England, and available from *AI*'s national sections.*