

Prisoners of conscience



Prisoners of conscience . . . the term has become an indispensable part of the vocabulary of human rights campaigning all over the world — but what exactly does it mean? Who are prisoners of conscience?

Definitions and criteria tend to be abstract, removed from real people and events. Prisoners of conscience are above all else living people:

● In Yugoslavia, a pharmaceutical chemist passes a number of critical comments as he and his landlady watch a television news program — and afterwards this private conversation appears in his indictment for “hostile propaganda” against the state and helps to send him to prison for 12 years. He is a prisoner of conscience.

● In El Salvador, two married couples and three young children are staying at a friend’s house while she is away, when uniformed members of the security forces burst in, demanding to know where the friend is. They torture the adults in front of the children, then beat the screaming children — one aged five — before taking all of them to San Salvador’s central barracks. Some days later the children are found in a juvenile reform centre. The adults have “disappeared” — they have become prisoners of conscience.

● In the People’s Republic of China, a church leader is arrested during a nationwide “purification” campaign. Twenty-five years later the bishop is still in prison. He is an old man now, in his 80s. He is a prisoner of conscience.

● In South Africa, a widowed mother of two whose husband died in police custody is detained incommunicado continuously for 11 months under one security law, transferred into indefinite detention under another, then released for four weeks, detained again, released again — then “banned” by the Minister of Justice for five years. She is a prisoner of conscience.

The tip of the iceberg

These are four different cases involving seven prisoners of conscience. Amnesty International is working on the cases of between four and five thousand people at any one time. These are prisoners of conscience it knows about individually, by name; and they are only the tip of the iceberg.

In December 1978, on the 30th anniversary of the Universal Declaration of Human Rights, Amnesty International stated:

“For each name that is known to Amnesty International, there may be 50 or another hundred which are unknown, amounting to an unacknowledged population of prisoners of conscience scattered over the globe, in overcrowded prisons, in labour camps, on isolated islands.”

At the end of Amnesty International’s first year — the movement was founded in 1961 — it was working on 210 prisoners of conscience. In the 20 years since it came into existence Amnesty International groups have worked on more than 20,000 individual cases of known or possible prisoners of conscience.

“Prisoners of conscience” is the original term given by the founders of Amnesty International to people who are imprisoned, detained or otherwise physically restricted anywhere because of their beliefs, colour, sex, ethnic origin, language or religion, provided they have not used or advocated violence.

Fundamental human rights

The concept of a prisoner of conscience transcends class, creed, colour or geography and reflects the basic principle on which Amnesty International was founded: that all people have the right to express their convictions and the obligation to extend that freedom to others.

The imprisonment of individuals because of their beliefs or origins is a violation of fundamental human rights; rights which are not privileges "bestowed" on individuals by states and which, therefore, cannot be withdrawn for political convenience.

Amnesty International seeks the immediate and unconditional release of all prisoners of conscience. It does not seek to support the beliefs or activities of those who are prisoners of conscience, nor does it claim to speak for them: it calls for their right to speak for themselves in peace and freedom.



Not all prisoners of conscience are jailed; some are restricted to internal exile in remote areas like this desolate Chilean village.

Most states have committed themselves to respect internationally agreed human rights standards and to work according to them. They have done so as members of the United Nations, by accepting the Universal Declaration of Human Rights. Sixty-seven states have done so by ratifying the International Covenant on Civil and Political Rights, which came into force as a binding legal instrument in 1976. Some states

have become parties to regional human rights instruments, notably the European Convention on Human Rights and the Inter-American Convention on Human Rights.

Yet nearly half the 154 governments of the United Nations are believed to be holding men and women imprisoned for the non-violent exercise of their human rights.

Why they are arrested

Most prisoners of conscience are imprisoned because of something they said or wrote or did, like criticizing government policy in a private conversation or at a public meeting; signing a petition or publishing an unauthorized book of poems; taking part in a non-violent demonstration or a labour strike for improved working conditions, joining a trade union or an opposition political party or organization — all actions performed in exercise of the rights to freedom of

expression, association, assembly or movement. For instance:

● **Petr UHL**, a 40-year-old Czechoslovak engineer, played a leading role in founding the Revolutionary Youth Movement, a radical left-wing group based on an alliance of workers and students during the so-called "Prague Spring" of 1968. In 1977 he was one of the first people to

excerpt from *Prisoners of Conscience, an Amnesty International Report, 1981*

Our freedom in defence of theirs

The detention of a prisoner of conscience anywhere threatens respect for human rights everywhere. As long as people are incarcerated for their beliefs we must be ready to use our freedom in defence of theirs.

Whenever Amnesty International hears of the arrest and imprisonment of people because of their views or their origin, it concentrates first on trying to get the facts. At the International Secretariat in London, researchers collect and check every available detail in order to build up a profile of the individual prisoners and the circumstances under which they have been detained. If it becomes clear that the victims are prisoners of conscience, the individual cases are allocated to several of the movement's thousands of adoption groups around the world.

Efforts to get the prisoners released can then get under way. The groups—composed of local Amnesty International members from all walks of life—study the background to the cases and then begin writing to the responsible authorities, appealing for the prisoners' immediate and unconditional release. The work takes months—often years—and can be frustrating in the extreme. Letter after letter goes to cabinet ministers and prison officials; often there is nothing but silence in reply. Sometimes a standardized letter comes back denying that anyone is held in that country on political or religious grounds.

Each group looks for new ways to bring home its concern to the authorities. The members try to get publicity about their adopted prisoner in the local press; they go to the appropriate foreign embassy, or trade delegation in their country; they get prominent people to sign appeals. If they can contact the prisoner's family, they can send relief parcels and begin corresponding—sometimes directly with the prisoner.

Amnesty International does not claim credit for the release of any prisoner. Some are released soon after their case is taken up; some are freed in general amnesties; others serve their entire sentences before regaining their freedom. But once a case is taken up for adoption, Amnesty International never gives up its campaign.

First-hand testimonies

It is clear that the postcards, the telegrams and the parcels often get through. More and more requests for help are received from prisoners and their families and lawyers who believe help from Amnesty International will make a difference. The same week that a young law student was sentenced to three years' imprisonment in an Eastern European country—he had been arrested after collecting signatures calling for the release of political prisoners—his father wrote to Amnesty International:

"I experienced the blessing of your appeal, for you have raised your voice in defence of my son. . . . Amnesty International is a light in our time, particularly for those on whose eyes darkness has fallen, when the prison doors close behind them. By your selfless work this light shines on the ever-widening circle of those who need it."

A week later, another letter came from the sister of a Latin American prisoner of conscience. He had been taken out of prison to be tortured and Amnesty International members in many countries had sent telegrams expressing fears for his safety. His torture was stopped. Afterwards, his sister wrote:

"I think the support of international organizations like yours . . . who appealed to the authorities for his life has been very important and efficient. The change in his situation, the

treatment they are giving him and the effort to show that he has 'recovered' I attribute to all the international pressure which was so rightly displayed to save his life."

Free at last

Efforts to free prisoners of conscience can range from writing a simple letter at home and sending it off, all the way to organizing a massive international campaign. Each gesture of concern contributes to the cumulative effect.

On 1 April 1979 a gaunt man with thinning hair stepped off an aircraft at Gatwick Airport near London after three years in Argentina's jails and torture centres. He had been released and his application to go into exile granted, without his even knowing that a hearing of his case had taken place. A British group of Amnesty International had taken up his case, been in contact with his family, arranged for his acceptance in the United Kingdom and bombarded the Argentine authorities with pleas for clemency. Although Amnesty International does not believe exile should be a substitute for the unconditional release of prisoners of conscience, it will work for this if the prisoner so wishes.

When he was being released, the prisoner was handed back the clothes in which he had been arrested three years earlier. He had lost so much weight, they now hung on him shapelessly. A guard then handed him a large grubby bag. Inside were about 500 letters and Christmas cards from Amnesty International members all carefully preserved by officials who knew that there were people on the outside who cared about the fate of an individual in their country.

Three years earlier, in another part of the world, a Ukrainian mathematician who had spent more than two years in a Soviet psychiatric prison hospital arrived in Vienna after finally being allowed to emigrate to the country as he had requested. A human rights activist, he had been tried *in absentia* on charges of "anti-Soviet activity" and ordered to be detained in a psychiatric institution. While confined he was injected with powerful drugs; at one stage his wife described him as having the appearance of a "cushion".

His case was allocated to groups in Austria, Sweden and the Federal Republic of Germany. Amnesty International members in other countries participated in the campaign which, at one stage, led to appeals on his behalf by mathematicians throughout the world and by the leader of the French Communist Party.

These two cases are, in a sense, unusual. The majority of prisoners of conscience do not end up in exile abroad. Even when they do, it is often seen as a last resort. But these two prisoners of conscience were restored to a measure of freedom. Countless others remain in detention. For them, and for their families, the knowledge that others are still working on their behalf can sometimes have a profound effect.

An adoption group still trying to secure the release of a Uruguayan prisoner of conscience writes regularly to the prisoner's wife. Just before Christmas 1980 they received two notes from her thanking them for their letters; she said:

"I very new letter, every word, touches me so much that my eyes fill with tears. . . . When I feel tired or downhearted, I always return to them. I read and re-read them a thousand times. And with them I always find again the courage to continue."



sign the manifesto of the unofficial Czechoslovak human rights movement, Charter 77. He has been harassed by the authorities over a 12-year period and is now serving his second prison term — five years.

● **TAN Hock Hin**, a 41-year-old former school teacher in Malaysia, has been detained without charge or trial since 1967 — he was arrested for taking part in demonstrations against the United States' intervention in Vietnam and for protesting against his government's decision to ban a Malaysian trade union.

● **WU Yueh-ming**, aged 61, has been imprisoned in the Republic of China (Taiwan) for the past 31 years — since 1950. He was tried by a military tribunal sitting *in camera* — his relatives were not allowed to attend — and is reported to have been charged with "having been handed a Communist Party poster and having posted it up" and with "having joined a communist group".

Yet others were imprisoned not for anything they had done or had refused to do — but simply because members of their families or their friends were political or religious activists, like the two Salvadorian couples mentioned earlier. They are peasants who are not reported to have any political involvement, but they happened to be staying at the home of their friend Marienella GARCIA VILLAS, President of the El Salvador Human Rights Commission.

Some prisoners of conscience were held for actions they had undertaken as individuals; others had been part of a group or movement. Some had acted in direct opposition to the government in power or the established system of government; others worked within their country's political system and could not be described as being in opposition to the government. Some have been imprisoned under retroactive legislation for being members of organizations which were still legal when they belonged to them.

Involvement with political parties opposed to the government resulted in many people being imprisoned, even though neither their activities nor those of their party were violent. In a number of countries, members of national minorities were jailed for striving after some degree of autonomy and in certain countries members of religious groups were incarcerated for religious

practices which went beyond the limits set on religious activity by the state, either formally or otherwise.

● In the Soviet Union, for instance, many people imprisoned for the non-violent exercise of their human rights are religious believers, mostly Baptists, Seventh Day Adventists and Pentecostals: in the 12 months up to 30 April 1981 Amnesty International learned of 78 dissenting Baptists alone being arrested.

● In Iran, members of religious minorities, including Baha'is, Christians and Jews, have been imprisoned. By mid-1981 the whereabouts were still unknown of nine members of the Baha'i National Spiritual Assembly in Iran who were taken into custody on 21 August 1980. Although Christians and Jews are recognized as religious minorities in the Iranian Constitution, the Baha'i religion, which sprang from Islam, is not mentioned.

Government responses

Few governments admit openly that they have detained people in violation of internationally recognized standards. Government responses to expressions of concern about prisoners of conscience vary widely. Some offer their own interpretations of international standards: claiming, for example, that freedom of expression does not include the right to advocate communism, or alternatively, to agitate against communism.

Other governments assert they do not send people to prison for their beliefs, but only for criminal acts, although their legislation makes the expression of dissenting ideas a criminal offence.

● In Pakistan a number of political prisoners have been sentenced by summary military courts for contravening martial law regulations which seriously restrict fundamental human rights guaranteed by the constitution. According to a press note issued by the government:

"Anybody who makes a political speech, issues a political statement, makes a political comment, or flies the flag of any political party is thus liable to be prosecuted under Martial Law regulations."

● In the **German Democratic Republic (GDR)**, two articles of the penal code that restrict the free passage of information have been used to imprison would-be emigrants who have written to foreign organizations about their difficulties in trying to emigrate.

Some governments admit to holding particular individuals, but claim they were involved in violence, despite evidence to the contrary.

Many refer to a threat to national security and apply legislation which defines that threat so broadly that people believed simply to be critical of the government can be locked away.

Places of imprisonment

Imprisonment itself takes different forms. Most prisoners of conscience adopted by Amnesty International are in prisons, camps, investigation centres or army barracks. Many others, how-

ever, are formally arrested or detained, but are abducted by government personnel, or by groups operating with the connivance of the authorities. If the government refuses to acknowledge that individuals have been detained, or reveal their fate, it is often difficult to ascertain whether they are alive and in detention, or have been murdered. Amnesty International continues to work until it knows what has happened to these "disappeared" people and will adopt them as prisoners of conscience.

With a growing worldwide awareness of human rights and an increase in international solidarity with the victims of their abuse, human rights campaigners have themselves become the targets of repression. Members of human rights organizations are imprisoned, abducted or even killed.

Every day the news media report arrests of people trying to exercise their human rights in non-violent ways. But for every prisoner of conscience whose case becomes "news", there



Human rights activists have become victims themselves, sent to prisons and camps like this one in a Soviet labour colony.

ever, have been held under house arrest, "banned" or internally exiled.

In some countries people have been diagnosed as mentally ill and forcibly confined to psychiatric hospitals, because they exercised their human rights and not for authentic medical reasons.

In some parts of the world people are not

are many more who remain unknown; and even those who gain wide publicity tend to be forgotten as time passes. Amnesty International aims to give attention to all the forgotten prisoners, to put their cases into the public record, to ensure that they remain a public concern, and that they are cared for individually as long as they remain in prison.

