



Hundreds are jailed after summary trials in Poland

Hundreds of members and supporters of the independent Polish trade union organization Solidarity have been imprisoned under summary proceedings since the imposition of martial law in December 1981 as a result of the non-violent exercise of their human rights.

AI has appealed to the Polish authorities for the release of all these prisoners, most of whom are serving between three and six years' imprisonment. At least one prisoner is serving a 10-year sentence: Ewa KUBASIEWICZ, prisoner of the month in April 1982.

According to official Polish figures, by 26 March 1982 more than 500 people had been sentenced to terms of imprisonment by civil and military courts for having continued their trade union activities after the imposition of martial law and for having organized strikes or distributed leaflets protesting against martial law. The available information indicates strongly that in almost all cases the accused had not used or advocated violence.

Under summary proceedings the accused has no right of appeal, although the Procurator General may lodge an "extraordinary appeal". At least 20 people have had their sentences increased on appeal by the Procurator General, among them Andrzej SLOWIK, Deputy Chairman of the Lodz Regional board of Solidarity (see February 1982 *Newsletter*), whose four-and-a-half-year sentence was increased to six years by the Supreme Court at the beginning of April.

AI has details of sentences passed on more than 130 Solidarity activists imprisoned for the non-violent exercise of their human rights. They include: Henryk MALINOWSKI, Deputy Chairman of the Solidarity Works Commission at Ponarbiel in Bialystok: three years' imprisonment; Zygmunt GOLINSKI, member of Solidarity's Slupsk Regional Executive: four and a



Ewa Kubasiewicz (seen here with her children). . . a summary court sentenced her to 10 years' imprisonment.

half years; Antoni BOBOWSKI, member of its Bielsko-Biala Regional Executive: five years; Tadeusz KOLODZIEJSKI, Deputy Chairman of its Gorzow Wielkopolski Regional Executive: five years; Andrzej PAWLIK, member of the Lower Silesia Regional Executive: five years; Aleksander PRZYGODZINSKI, member of Solidarity's National Commission and Chairman of its factory committee at a steelworks in Czestochowa: three years; Jerzy KROPIWNICKI, Deputy Chairman and press representative of the Lodz region and a member of Solidarity's National Commission: four and a half years; Mieczyslaw USTASIAK, Deputy Chairman of Szczecin Regional Board: four years.

In mid-April the Roman Catholic Church renewed its demand for the release of internees, a safe return for people in hiding and an amnesty for those convicted under martial law provisions.

On 28 April it was announced that the Military Council of National Salvation had decided to release some 800 internees and to grant "conditional leave" to some 200 others.

Despite these releases some 2,000

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Turkey: Letter results in 10-year sentence

A Turkish sociologist has been jailed for 10 years because of a letter he sent abroad in which he referred to the Kurds as a separate ethnic group.

He was charged with undermining the Turkish Government's reputation abroad.

On 26 March 1982 the newspaper *Cumhuriyet* reported that Ismail BESIKCI had been sentenced to 10 years' imprisonment, to be followed by five years' internal exile.

It is the third time in 11 years that Ismail BESIKCI—who is not a Kurd—has been imprisoned for expressing such views in his writings. AI has adopted him as a prisoner of conscience for the third time.

A former lecturer in the Faculty of Political Sciences in Ankara, he was first sentenced in 1971 to 13 years' imprisonment on charges of "making propaganda for communism and separatism" in his seminars, lectures and published works. He was released in July 1974 as the result of a general amnesty.

In 1979 he was again charged with making propaganda for separatism in his book *Turkish Thesis on History: The Theory of Sun and Language* and sentenced to three years' imprisonment.

He was released in April 1981 but taken into custody again on 19 June 1981 because of a letter he wrote from prison to the President of the Swiss Writers' Union in August 1980. In the letter he wrote: "The official ideology in Turkey obstinately continues to deny the existence of a Kurdish people

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Supplement: Campaign for Prisoners of the Month

Call on Spanish Government to investigate torture allegations

AI has called for an immediate investigation by the Spanish authorities into allegations of ill-treatment and torture after the arrest of four men (three of them brothers) in March 1982. The fourth man, a doctor, died four days after his release from custody: the official autopsy report declared the cause of death to be a heart attack.

The dead man was Dr Esteban MURUETAGOYENA Scola, of Oyarzún in the province of Guipúzcoa.

An *AI* mission visited the Basque provinces of Spain from 1 to 4 April to investigate the allegations; the delegates were the Medical Adviser and the Researcher for Western Europe.

The four men were arrested by units of the paramilitary police force, the *Guardia Civil*, reportedly in plain clothes, and taken to its *Comandancia*, regional headquarters, in San Sebastián. All were arrested under anti-terrorist legislation which permits the authorities to hold suspects incommunicado for up to 10 days, without access to a lawyer.

Interrogation

The individual interrogation of the detainees began after their arrival in the *Comandancia*. All four were allegedly abused verbally, threatened and systematically physically ill-treated. Reports received by *AI* mention prolonged gymnastic exercises, punches in the stomach and thorax and slaps to the face. Two prisoners alleged they were given electric shocks and one that he had his face repeatedly plunged into a bucket of water.

During the first three days incommunicado in San Sebastián, a judge from the city's court, reportedly accompanied by a doctor, visited the

detainees. At least one, Vicente IBARGUREN Aguirre complained that he had been punched and beaten. After three days one of his brothers, José María, was released without charge. However Vicente Ibarguren, his other brother, Francisco, and Dr Muruetagoyena were transferred by car to the *Guardia Civil*'s national headquarters in Madrid. Vicente Ibarguren alleges that during the journey a hood with an air-hole was placed over his head and that he was violently punched in the face. He says he made a complaint to this effect to officers in Madrid.

Disturbed

On 24 March Dr Muruetagoyena was heard to become very disturbed, shouting and crying in his cell. He had by then spent nine days incommunicado in police custody. On Thursday 25 March the three remaining detainees were presented individually to the judge, who released them without charge. According to reports received by *AI*, the judge did not question the detainees about their treatment nor did he comment on the bruises clearly visible on Vicente Ibarguren's face.

According to witnesses interviewed by *AI*, Dr Muruetagoyena was extremely disturbed, both on his release and during the journey home. He talked wildly and appeared to suffer from hallucinations. Later he repeated the account of physical ill-treatment in the *Comandancia* in San Sebastián before his transfer to Madrid. In particular, he emphasized the suffering caused to him by the lengthy incommunicado detention. His mental condition appeared to improve somewhat

during the next three days while he was with his family. However, on Monday 29 March he was discovered dead in his bed.

AI's mission interviewed numerous witnesses who could offer first-hand accounts of the events and *AI* believes that these allegations present a substantial *prima facie* case for a full investigation by the government. Spain has declared its intention to comply with the United Nations Declaration on the Protection of all Persons from being Subjected to Torture, and other Cruel, Inhuman or Degrading Treatment or Punishment. Under Article 8 of this declaration, any person who alleges an act of torture or other cruel, inhuman or degrading treatment or punishment, has the right to have his case examined by the competent authorities. Furthermore, under Article 9, wherever there is reasonable ground to believe an act of torture, as defined under Article 1, has been committed, the state shall promptly proceed to investigate even where there has been no formal complaint.

Letter to Minister

On 5 May 1982 *AI* sent the Minister of the Interior, Juan José Rosón, a detailed account of the mission's report and asked for an immediate investigation.

- *AI* has repeatedly criticized the use of extended incommunicado detention in Spain, even under judicial supervision, and it is noteworthy that none of the detainees were allowed access to counsel while in custody, that none were ever charged with any offence and that, apart from the first visit by the judge in San Sebastián after three days, there was no judicial supervision □

Ten executed in South Yemen

Ten of the 12 Yemenis sentenced to death on 7 April 1982 by a high court in Aden, People's Democratic Republic of Yemen (see May Newsletter), were executed on 22 April 1982. Earlier, *AI* had cabled President Ali Nasir Muhammad urging commutation of the death sentences on humanitarian grounds. The sentences of the remaining two were commuted to 15 years' imprisonment by the President after the People's Supreme Court had met to confirm the High Court ruling □

EGYPTIANS EXECUTED

The five men sentenced to death on 6 March 1982 on charges of plotting and participating in the assassination of President Sadat (see April Newsletter) were executed on 15 April. *AI* had urged commutation of the death sentences on humanitarian grounds □

International Council

AI's 15th International Council meeting will take place in Rimini, Italy, from 9 to 12 September 1982. Delegates and observers from *AI*'s national sections and groups in more than 50 countries will be attending.

DEATH PENALTY

AI has learned of 59 people being sentenced to death in 13 countries and of 32 executions in seven countries during April 1982.

STOP PRESS . . . STOP PRESS

AI has learned that VasyI OVSIENKO (see page 6) was sentenced during 1981 to a further 15 years' imprisonment and internal exile for "anti-Soviet agitation and propaganda" — the maximum sentence on this charge.

Campaign for Prisoners of the Month



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

José Pedro MARQUEZ Volonté, Uruguay

A trade unionist and textile worker in Montevideo, he has been held since December 1977. He is seriously ill and AI fears that continued imprisonment is endangering his life.

José Pedro Márquez, who turns 46 on 8 June, has suffered from asthma since childhood and his health is reported to have deteriorated sharply after his arrest as a result of torture and the conditions in which he was held. He was initially detained in the barracks of the *Fusileros Navales*, marines, in Montevideo's port area. Some of the cells are below sea level and very damp and he had to be kept for periods in an oxygen tent because of respiratory trouble.

In 1980 he was convicted of "subversive association" and "attack on the constitution" under the 1972 Law of National Security, which placed civilians convicted of offences against the state under military court jurisdiction. The charges against him related to his trade union activities and alleged membership of a political group banned after the dissolution of Uruguay's parliament by the armed forces in 1973.

The Supreme Military Tribunal sentenced him to 14 years' imprisonment and a further two to four years' preventive detention under *medidas prontas de seguridad*, emergency security measures: the additional penalty disqualifies him from applying for parole and gives him a minimum sentence of 16 years' imprisonment.

He is being held in Libertad prison, a high security military prison for male political detainees; medical care is said to be seriously deficient. In 1979 he was transferred for several months to Montevideo's Central Military Hospital, and again in October 1981, when he was kept in intensive care, reportedly after a heart attack, before being taken to a private clinic; he is believed to have spent only a few hours there before being moved back

to Libertad prison. It is believed that emphysema has left only a small part of his lungs working.

Please send courteous letters stressing José Pedro Márquez's serious condition and asking for his immediate release to: Exmo. Señor Presidente de la República/Teniente General (R) Gregorio C. Alvarez/Casa de Gobierno/Montevideo/Uruguay.

Emmanuel MWAMBA, Zambia

A businessman and former diplomat aged 51, he has been detained without charge or trial since August 1979.

Emmanuel Mwamba was arrested on 13 August 1979 at his home in Ndola apparently because he was suspected of participating in the distribution of literature critical of the government. He is held under Section 33 (i) of the Preservation of Public Security Regulations, which effectively empowers the President to order the detention without trial of any person for an unlimited period. No formal charges have been brought against him and he has had no effective means to challenge the reasons for his continuing detention without trial.

He was previously detained without trial for about 11 months in 1972. At the time, he was a prominent member of the main opposition United Progressive Party (UPP), which was banned when Zambia became a one-party state in 1972. His re-arrest in August 1979 came at a time of increased political tension after an attempt by Simon Kapwepwe, former leader of the UPP, to challenge Dr Kenneth Kaunda for the presidency.

Please send courteous letters appealing for the release of Emmanuel Mwamba to: His Excellency President Kenneth D. Kaunda/State House/Lusaka/Zambia.

Prisoner Releases and Cases

The International Secretariat learned in April of the release of 96 prisoners under adoption or investigation; it took up 149 cases.

Truong Van QUYNH, Viet Nam

A former hospital director and general practitioner aged 61, he has been held without charge or trial since June 1975.

Dr Truong Van Quynh was a well-known general practitioner in South Vietnam until the fall of the former republic in April 1975. All military and civilian personnel of the former administration, along with senior members of political parties, were required to register with the new authorities. Although not very active in politics, Dr Quynh was a member of the Nationalist Party; he complied with the registration order and, with thousands of others, was sent for "re-education". Seven years later, he is still detained in a "re-education" camp in Ha Nam Ninh Province.

Born in Saigon in 1921, he obtained his medical degree from the University of Paris and returned to his country to become Chief Surgeon of Chau Doc hospital. He was an army doctor from 1953 until 1956, leaving to become Director of the Saigon Hospital. Between 1959 and 1963 he was successively Health Inspector at the Ministry of Health, Director of Nhi Dong Children's Hospital and Director of Cho Quan Psychiatric Hospital; in 1962 he was South Vietnam's chief delegate to the World Health Organization conference in Manila. From 1963 to 1975 he practised privately in Saigon.

Dr Quynh's health is reported to be poor and because of his age and the general lack of adequate food and medical care in Vietnamese "re-education" camps, AI is concerned for his well-being.

Please send courteous letters (preferably in French) appealing for his immediate release to: Monsieur Pham Van Dong/Président du Conseil des Ministres/Bureau du Président du Conseil des Ministres/Hanoi/ Viet Nam; and to: Monsieur le Docteur Dang Hoi Xuan/Ministre de la Santé Public/Ministère de la Santé Public/Hanoi/ Viet Nam.

A new report by AI concludes that a number of "blatantly illegal practices" have led to serious human rights violations in Morocco, involving the "disappearance" of large numbers of people and the death in custody of others. The article below is based on the "Report of an Amnesty International Mission to the Kingdom of Morocco, 10-13 February 1981", published on 19 May 1982.

Human rights violations in Morocco

The authorities in Morocco are breaking their own laws and international agreements by holding political prisoners incommunicado for months or years and torturing many of them. They have failed to account for hundreds of other prisoners, some of whom have died in appalling prison conditions. Furthermore, many people have been imprisoned for exercising their right to free expression.

In a series of recommendations (see box) to the Moroccan Government, AI has called for a commission of inquiry into incommunicado and preventive detention, for an investigation of torture allegations, and for information on hundreds of individuals held in custody whose whereabouts have not been officially acknowledged.

AI believes that Moroccan officials are failing in their legal obligations to arrest individuals:

- by routinely carrying out arrests without showing warrants (in violation of Moroccan law);



Abdelali Ben Chekroun... a former student serving a 30-year prison sen-

Deaths of military prisoners

AI's report appealed for information on the fate of some 100 military prisoners convicted of involvement in attempts to assassinate King Hassan II in 1971 and 1972. It is concerned that:

- up to 15 of the prisoners are reported to have died, partly as a result of the bad conditions of detention and complete lack of medical care;

- at least 15 of them have served their sentences and have not been released;
- the whereabouts of this entire group of prisoners has not been acknowledged since their transfer from Kenitra Central Prison in 1973;
- the conditions of imprisonment of this group, are said to be "appalling".

- by not informing families and lawyers of the arrested person's place of detention;

- by extending repeatedly the *garde à vue*, incommunicado police detention, period so that it often lasts months and sometimes more than a year;

- by providing no way for the arrested person to appeal directly against wrongful arrest.

The *Procureur du Roi*, public prosecutor, who is legally responsible for the observance of law and the protection of the rights of the detainee from the moment of arrest until the case is

tence, he has been adopted as a prisoner of conscience by AI, which believes he was convicted for the non-violent expression of his political beliefs. He was arrested in November 1972 and held incommunicado for more than a year—much of the time blindfolded and in handcuffs; he is also said to have been treated with considerable brutality on a number of occasions. In February 1977 he was one of 178 people tried on charges of aiming to bring about the overthrow of the government (see May 1982 Newsletter). The evidence produced in court consisted of Marxist literature and duplicating materials. Although the prosecution accepted that the defendants had only been propagating their ideas, they were nevertheless found guilty of plotting the violent overthrow of the government. The trial was marked by a number of irregularities, one of which was that the defendants were not allowed the right to speak in their own defence.

handed to the *Juge d'instruction*, investigating judge, has in many political cases not exercised that responsibility in an appropriate manner and, in some instances, appears to have contravened the law.

Without the careful supervision of the public prosecutor, the long periods of *garde à vue* where the detainee is held incommunicado in the sole custody of police and interrogators—with inadequate medical care available—create the preconditions for torture and ill-treatment.

Consistent allegations

On the basis of all the information in its possession, its assessment of the conditions of *garde à vue*, and the consistency between the numerous allegations it has received of ill-treatment and torture in Moroccan police detention centres, AI concludes that such treatment has frequently taken place and may be occurring routinely.

In cases of political offences, suspects are usually kept in preventive detention for long periods. Although required to do so by law, the investigating judges routinely refuse to investigate allegations made by suspects that they have been ill-treated while in custody.

Prisoners of conscience

Despite the claims of officials that there are no prisoners of conscience in Morocco, AI continues to view as such more than 100 individuals held since 1977 or earlier.

A significant number of detainees tried in July, August and September

1981 are also considered by *AI* to be prisoners of conscience and it concludes that Moroccan legislation, administrative practice and abuses of the rights of defendants, continue to lead to the imprisonment of individuals for non-violently exercising their rights of expression and association.

Although *AI* did not attempt to investigate prison conditions in Morocco, it believes that in a number of crucial ways the provision of medical care in prisons is deficient; for instance, there do not appear to be sufficient medical staff available for long enough periods to avoid substantial delays in prisoners receiving treatment; and prescribed medication does not appear to be dis-

tributed promptly.

AI knows of the "disappearance" of about 100 people from towns in southern Morocco since 1975, in the context of the dispute over the Western Sahara. This figure probably substantially underestimates the true number of individuals taken into custody in this region by the Moroccan security forces whose arrests have not been officially admitted by the authorities.

In addition, *AI* is seriously concerned about the fate of 13 people who "disappeared" in separate incidents, some as long ago as 1973.

AI formally asked for a response from the Moroccan authorities in these cases but has so far received none □

Death penalty appeal

Three political prisoners face execution in South Africa

Appeals against death sentences imposed on three alleged members of the banned African National Congress (ANC) were rejected by the South African Appeal Court on 7 April 1982.

Ncimbithi Johnson LUBISI, aged 29, Petrus Tsepo MASHIGO, 20, and Naphtali MANANA, 24, were sentenced in November 1980 for high treason (see May 1981 *Newsletter*). They were alleged to have been ANC guerrillas and to have participated in an attack on a police station in April 1980 (nobody was killed).

On 8 April 1982 *AI* appealed to the State President, Prime Minister and Minister of Justice in South Africa for clemency for them. An assurance was received from the Department of Foreign Affairs and Information that all death sentences were reviewed by the State President on the advice of the Ministers of State in the Executive Council, and that they took into account all representations to them, including those by *AI*.

AI renewed its appeal, emphasizing its hope that the South African Government would maintain its long tradition of clemency in political cases not involving loss of life.

On 9 April 1982 the United Nations Security Council unanimously adopted Resolution 503 calling upon South Africa to commute the death sentences and urging all states to use their influence to save the three men's lives.

Although there are indications that the South African Government may decide to commute the death sentences, this had not been done by mid-May and the executions could take place at any time, without warning.

Please send courteous letters appealing for the death sentences to be commuted on humanitarian grounds to: His Excellency Marais Viljoen/State President/"Presidensia"/Bryntirion/Pretoria/South Africa; and to: Hon. P.W. Botha/Prime Minister/Union Buildings/Pretoria/South Africa; and: Hon. H.J. Coetsee/Minister of Justice/Union Buildings/Pretoria/South Africa □

Recommendations by AI

AI has called on the Moroccan Government to set up a public and impartial commission of inquiry to examine legislation and practice relating to arrest and *garde à vue* with a view to:

- a) enforcing existing legislation which requires arrest warrants to be shown;
- b) informing the family and lawyer of the place of detention of every arrested person immediately upon arrest and at every stage of detention;
- c) establishing clear time limits and a reasonable maximum period for *garde à vue* and enforcing the *procureur's* legal obligations during and upon extension of *garde à vue*;
- d) providing arrested individuals with access to family, lawyer and medical care promptly after arrest and at brief, regular intervals thereafter;
- e) providing arrested individuals with direct legal appeal mechanisms against wrongful arrest.

The commission should also examine ways of enforcing and improving existing legislation which stipulates that preventive detention should be an exceptional measure and that cases of "*atteinte à la sûreté de l'Etat*" should be judged quickly.

It should also:

- examine legislation and practice designed to control abuses of authority committed by officials,

with a view to establishing ways to monitor the behaviour of the police during *garde à vue* and enforce the legal obligation of the *juge d'instruction* to call for a medical examination in cases where allegations of torture and ill-treatment are made by detainees.

- examine the nature and quality of medical care in prisons and detention centres, with particular attention to the unacceptable delays experienced by prisoners on receiving medical examinations and prescribed medication, to the incompleteness of medical records, and to the medical care provided during *garde à vue*.

In its recommendations *AI* called for details of the arrest, detention and current whereabouts of the more than 100 "disappeared" people named in the report to be made public and for all those unlawfully held to be released. It said that details of the fate and whereabouts of all prisoners currently held for involvement in the 1971 and 1972 coup attempts should be made public, and called on the Moroccan Government to release immediately all who had served their full sentences.

AI also urged King HASSAN II to release more than 100 individuals it believed to be prisoners of conscience, as well as all those tried during 1981 who have been convicted for the non-violent expression of their political beliefs.

Health fears for Soviet Helsinki monitors

Repression continues in the Soviet Union of Helsinki monitors—unofficial groups trying to monitor Soviet compliance with the human rights provisions of the Final Act of the 1975 Helsinki Conference on Security and Cooperation in Europe. By mid-May 1982 a total of 34 Helsinki monitors were either imprisoned, serving terms of internal exile or otherwise confined; 30 have been adopted by AI as prisoners of conscience; it is investigating the cases of the other four.

There are grave fears for the health of two Helsinki monitors imprisoned in the Soviet Union who have been severely punished for alleged violations of prison discipline. Part of the punishment has consisted of being put on reduced food rations—and still having to fulfil arduous work quotas. The condition of the two prisoners—mathematician Anatoly SHCHARANSKY and former nuclear physicist Yuri ORLOV—is reported to be extremely poor.

Anatoly Shcharansky, aged 33, who is serving a 13-year term of imprisonment for “anti-Soviet agitation and propaganda” and “treason”, is being held in Chistopol prison after a trial late last year in the corrective labour colony in Perm.

He was sentenced to serve the next three years of his imprisonment in Chistopol and is being confined in a punishment cell there (from 6 March to 6 June 1982) for not fulfilling his work norm. His weight is down to 50 kilos and he is reported to be suffering from impaired memory and eyesight, and fainting spells.

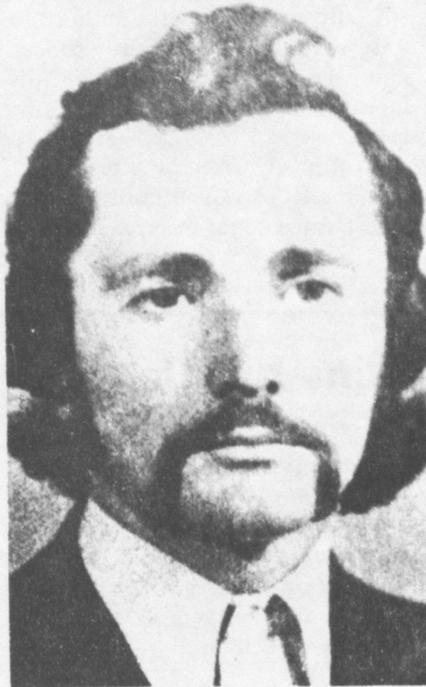
There is no hospital in Chistopol, only hospital cells which are reported to differ little from normal cells.

A member of the Moscow Helsinki monitoring group, he was sentenced in 1978 to three years in a prison (the USSR's harshest form of corrective labour institution) to be followed by 10 years in a corrective labour colony.

His health began to deteriorate during the first three years (served in Vladimir and Chistopol prisons). After his transfer to Perm corrective labour colony he was repeatedly punished for alleged violations of discipline.

Punishment in labour camps usually consists of two weeks' solitary confinement, during which prisoners receive hot food only every second day (no meat); on alternate days they get only bread, hot water and salt.

In January 1981, already weakened by such punishments, Anatoly Shcharansky was confined in a cell in the camp's internal prison (PKT) for six months, required to work on reduced rations. After two months he complained of failing memory and eyesight, severe weight loss, fainting and bleeding gums.



Vasyl Ovsienko . . . charged again.

In August 1981 he was taken to hospital suffering from low blood pressure and irregular heart-beat.

After his release from hospital he was tried, reportedly for “refusal” to work. (AI knows of a number of Soviet cases where inability to work as a result of illness has been construed as refusal.)

Dr Orlov, aged 57, who helped to form the Moscow Helsinki monitoring group, was convicted in May 1978 of “anti-Soviet agitation and propaganda” and sentenced to the maximum of seven years' imprisonment in a corrective labour colony, followed by five years' internal exile.

He is serving the first part of the sentence in the Perm colony. In October 1981 he was confined in its PKT for six months for taking part in a collective strike.

It was his third six-month PKT punishment in successive years.

Prisoners in PKT punishment receive reduced food rations, must sleep in cold cells on wooden planks with bedding that is withdrawn during the day (prisoners found sleeping during daytime may be punished further) and lose certain prison privileges.

Dr Orlov—who has not seen his

wife since August 1979—is reported to have coughed blood repeatedly during his latest period in PKT and is feared to have contracted tuberculosis. He is said to have frequent headaches and spells of dizziness, and to suffer from low blood pressure, rheumatic disease and insomnia.

The labour camp doctor is reported to have informed his wife that a complete medical examination at a hospital was “out of the question”.

By mid-May 1982, 28 Helsinki monitors were imprisoned in the USSR and a further five were serving terms of internal exile. One was forcibly confined in a special psychiatric hospital. He is Dr Algirdas STATKEVICHIUS, a member of the Lithuanian Helsinki monitoring group.

Of those serving sentences of imprisonment or internal exile, five were faced with fresh criminal charges in 1981: Vasyl OVSIENKO, Merab KOSTAVA, Yaroslav LESIV, Vasyl SICHKO and Vasyl STRILTSIV. In all five cases the fresh charges were brought only months before the men were due to be released.

In late 1981 Vasyl Ovsienko was charged under the Ukrainian equivalent of Article 70 of the RSFSR Criminal Code, with conducting “anti-Soviet agitation and propaganda” in his corrective labour colony. He is still awaiting trial. Since he has already been imprisoned on this charge in the early 1970's, he faces a possible further sentence of 15 years' imprisonment and internal exile as a “second offender”.

Article 70 of the Soviet criminal code specifically prescribes imprisonment for the peaceful exercise of freedom of conscience.

Vasyl Ovsienko, aged 37, joined the Ukrainian Helsinki monitoring group in February 1978. At the time the new charge was brought against him, he was completing a three-year sentence of imprisonment for “resisting a militiaman”—a charge which AI believes to have been false.

The other four men have already been sentenced to fresh terms of imprisonment (of between three and six years), three of them on criminal charges of “making or marketing narcotics” or “resisting a militiaman”.

Continued on next page

The mandate of the United Nations Working Group on Enforced or Involuntary Disappearances has been extended for another year

Campaign against 'disappearances' must be kept up, says UN group

The problem of "disappearances" remains one of the most serious in the field of human rights, according to the United Nations Working Group on Enforced or Involuntary Disappearances.

The group's second report was considered by the Commission on Human Rights during its 38th Session in February and March this year. In a resolution adopted by consensus, the commission extended the working group's mandate for a further year.

The report calls on the international community not to reduce the intensity with which it tackles the

problem of "disappearances". Governments alone possess the apparatus and resources to carry out full investigations, the report says, and the working group's role is to give them material for that process.

In common with the Inter-American Commission on Human Rights, the group recommends that governments should keep central records of all people who have been detained; that arrests be made only by competent and duly identified authorities; and that those arrested must be kept on premises designed for the purpose. It also con-

siders that special measures should be taken by governments to protect people giving information on the fate of the "disappeared".

The group's general conclusion is that the resolution of the problem of "disappearances" as a whole and of individual cases depends on the proper implementation of existing national laws. It is not a matter of amending constitutions or laws: "All that is required is that practice should equate itself with precept. To the extent that it fails to do so. . . the Working Group has a role to play" □

Governments' responses on 'disappearances'

The UN Working Group on Enforced or Involuntary Disappearances received and responded to a large number of cases of "disappearances" in 1981 and the bulk of its report presents a country by country survey and analysis of this information. It also continued to pursue older cases which occurred before it was set up in 1980.

The group stresses that the right of families to know about their "disappeared" relatives cannot be denied or ignored and does not diminish with the passage of time.

The group understands its task as a simple one: to ask governments to explain if a missing person is detained, where the place of detention is; if not, what happened to him or her after arrest; and, if an abuse of authority is discovered, to permit the national legal system to deal with any offender.

Responses from governments to the group's detailed inquiries on individual cases, where received, are reproduced verbatim in the report. Very few give specific information—or any indication that the authorities are paying enough attention to international calls to carry out thorough

investigations into "disappearances" in their countries. Some state that cases are under investigation but do not indicate by whom or how. Others say they have investigated and found nothing—but again give no information of any concrete steps taken. Many assert the need for more information from the group before they can conduct proper investigations. For example:

- The Government of Argentina claims that the time which has elapsed, the lack of details in most accounts and the critical conditions the country was experiencing at the time [most "disappearances" in Argentina occurred between 1975 and 1978] militate against the possibility of "reaching firm conclusions". It suggests "terrorism" as a possible cause of the "disappearances".
- The Government of Ethiopia argues that the motivation of the country's revolution was the establishment of equality, justice and freedom for all—and that the allegations were, therefore, not true.
- The then Government of Guatemala (overthrown in a bloodless coup in March 1982) blamed political violence on extremist

groups of the right and left which they claimed to be unable to control—but gave no specific information on the individual fate of the country's thousands of "disappeared" people.

- The Government of the Philippines suggests that many of the "disappeared" could be victims of encounters between government troops and rebels in the early 1970s. It states also that the strategy of the underground movement in the country is to report new recruits as "disappearances".
- The Government of Sri Lanka states that it will report after the country's Parliamentary Select Committee, established in 1979 to investigate the cases, has completed its work.
- The Government of Mexico invited the group to discuss its concerns on the spot and the results of the visit have been issued in an addendum to the report.
- The working group also received responses from the Governments of Bolivia, Brazil, Cyprus, Honduras, Nicaragua and Uruguay.
- The Governments of Chile, Guinea, Indonesia, Iran, Lesotho, Uganda and Zaire did not respond □

IMPRISONED SOVIET HELSINKI MONITORS

Continued from page 6

The charge against Vasyl Striltsiv is not known. Although *AI* would not normally take up the case of an individual

imprisoned for drug offences or resisting representatives of authority, it is investigating the cases of Merab Kostava, Yaroslav Lesiv, Vasyl Sichko and Vasyl Striltsiv because it questions the validity of the charges brought against them.)

AI is concerned that Vasyl Sichko, Yaroslav Lesiv and Vasyl Striltsiv, like numerous other Soviet prisoners of conscience, were serving their first sentences alone in corrective labour colonies for criminals and were therefore possible targets for victimization □

Romanian Bibles trials: 11 jailed

Eleven evangelical Christians have been sentenced to long terms of imprisonment in Romania because of their involvement with a clandestine network for distributing Bibles smuggled into the country.

Most of the 11 belong to the Brethren Church and they were jailed in December 1981 and March 1982 for between five years three months and six years each.

AI believes they have been imprisoned as a result of their efforts to supply religious literature to Christian believers, not for financial gain but for reasons of conscience.

Three of them were tried and sentenced in December: Klaus WAGNER, aged 32, a member of the German minority in Romania who belongs to the Brethren Church, and two sisters, Fibia and Maria DELAPETA, members of the "Lord's Army", an evangelical movement of the Romanian Orthodox Church.

They are reported to have been arrested in early October 1981 after the Romanian authorities had confiscated some 13,000 Bibles found on a

ship which had docked in the Danube port of Turnu Severin. The Bibles are said to have been sent by an evangelical mission in western Europe: little religious literature is available in Romania because of state restrictions.

Klaus Wagner is reported to have been beaten after his arrest and according to one report was in intensive care in hospital at the end of November.

The three defendants were charged with complicity in bringing contraband into Romania (the Bibles) and with violation of the press law (which includes provisions regulating the import of literature). The prosecution is reported to have stated that in the previous six months the three defendants and their supporters had been responsible for bringing into the country and distributing some 600,000 Bibles. Family members are reported to have been barred from the court.

Klaus Wagner was sentenced to six years' imprisonment and the sisters to five years each. The three were also reportedly fined. The sentences were confirmed on appeal.

In March a further eight people were tried and sentenced to terms of imprisonment of between five years

three months and six years in connection with the Bibles found on the ship. They are Dr Silviu CIOATA and his brother Mircea; Costel GEORGESCU; Ioan TOADER; Petre FURNEA; Hans HOLZMANN; Horst FEDER and Ioan RACEALA.

Dr Cioata is a member of the Romanian Christian Committee for the Defence of Freedom of Religion and Conscience, founded in 1977 by a group of dissenting Baptist and other evangelical Christians who were critical of the cooperation given to the state authorities by the official leadership of their churches and of official restrictions on religious freedom.

He and his seven co-defendants appear to have been involved in the same distribution network as the defendants in the previous trial. Dr Cioata and Costel Georgescu were arrested in Ploiesti on 11 November 1981 and their houses were searched: some 3,000 Bibles and other religious literature were confiscated. The remaining six defendants were arrested on 4 March 1982 and all were tried two days later. Their families were reportedly not allowed to attend the trial. The defendants are believed to have appealed against their sentences □

IMPRISONMENT IN POLAND

Continued from page 1

people remain interned without formal charges or court protection.

Among those known to have been released from internment are: Wladyslaw BARTOSZEWSKI, Secretary of the Polish branch of the international writers' organization PEN; the historian Jerzy HOLST; the writer Lothar HERBST; Jan KULAJ, leader of Rural Solidarity; the actress Halina MIKOLAJSKA; the literary critic Aleksander MALACHOWSKI; the mathematicians Marian SREBRNY and Ryszard RUBINSZTAJN; Professor Halina SUWALA; Piotr TOPINSKI, a zoologist; and the literary historian Professor Roman ZIMAND. Among those who were granted "conditional leave" was the poet Wiktor WOROSZYLSKI, reportedly for only one week.

Although some 150 rank-and-file Solidarity activists are officially reported to have been released from internment, none of the union's national leaders and advisers have been freed.

Those leaders and advisers still interned include: Lech WALESA, Jan RULEWSKI, Karol MODZELEWSKI, Jacek KURON, Adam MICHNIK, Janusz ONYSZKIEWICZ, Seweryn JAWORSKI, Andrzej GWIAZDA, Tadeusz MAZOWIECKI and Marian JURCZYK □



Ismail Besikci in his cell in Adapazari prison last year.

TURKEY: *Continued from page 1*

and a Kurdish language. . . . An official ideology [denying the existence of the Kurdish people] has been imposed on universities, legal institutions, political parties, the press and media such as radio and television. . . . For example, Turkish universities which follow the official ideology give up scientific

truth and deny the reality of the Kurdish nation" □

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amnesty international supplement

Every month millions of people all over the world read about men and women who have been adopted by AI as prisoners of conscience. Their cases are published in more than 50 daily and weekly newspapers, as well as on the Campaign for Prisoners of the Month page of the AI Newsletter and in national section publications.

As a result, thousands of people—mostly AI members but including many others as well—put pen to paper and write courteous letters to the relevant authorities expressing concern about the continued detention of these prisoners of the month and appealing for their immediate release. (Some years ago AI estimated that some 20,000 letters were being sent each month on behalf of the three prisoners.)

In most cases it is impossible to assess the true impact on the authorities. Most of those who write never learn whether their letters had any effect in improving the conditions of the prisoners, let alone in securing their release. Many have no idea of the subsequent fate of the prisoners on whose behalf they sent appeals.

This supplement looks back at the 44 prisoners of the month of 1981 and, where possible, shows what happened to them: some have been freed; for many the situation remains unchanged; the condition of yet others has deteriorated.

Campaign for Prisoners of the Month



Each of the prisoners cited below is a prisoner of conscience, arrested because of his or her religious or political beliefs, colour, sex, ethnic origin or language. None has used or advocated violence. Their continuing detention is a violation of the United Nations Universal Declaration of Human Rights.

Details of the prisoners whose cases are listed below appeared in the 1981 *Campaign for Prisoners of the Month*; each prisoner has been adopted by one or more AI groups. In the cases of prisoners who have not been released, the groups are still working hard to secure their freedom.



Zwelakhe Sisulu, South Africa. . . restricted under a three-year banning order imposed in December 1980.

January 1981

Hector Raúl MARTEAU, Argentina. Married with two children, he is in his eighth year of detention without charge or trial. He was a student at Córdoba University when he was arrested on 1 April 1975 because of his non-violent student activities; he has been held since then at the disposal of the National Executive Power (PEN). **Still in detention.**

LI Ching-sun, Taiwan. A prominent journalist aged 64, he has been in jail since 1970 when he was arrested on charges of sedition; he was tried by a military court and sentenced to life imprisonment, later commuted to 15 years. None of the charges referred to activities more recent than 1949 and the real cause of his imprisonment is believed to be articles written by him critical of the government. He is reported to be in poor health. **Still in detention.**



Vasyi Stus, USSR. . . 15 years' imprisonment and internal exile for his activities as a Helsinki monitor. He is being held in a special regime section of a corrective labour colony.

Miguel TROVOADA, Sao Tome and Principe. Prime Minister from July 1975 until April 1979, he was arrested in October 1979 and held for nearly two years without charge or trial, accused of "economic sabotage" and plotting against the President; no evidence was published to support the accusations. He was released in July 1981 under a presidential amnesty and allowed to leave the country. **Released.**



February
1981

Jorge RODRIGUEZ Gallegos, Chile. A 53-year-old engineer and lecturer, he was one of about 30 people arrested by the security forces in mid-1980 for allegedly belonging to the Communist Party (banned in Chile) and contravening the Law of Internal State Security. The detainees were held in secret detention centres for five days and are reported to have been tortured.

Jorge Rodríguez was sentenced to 541 days' *relegación* (internal exile). In October 1981 he was released into exile abroad. **Released.**

Vaclaf UMLAUF, Czechoslovakia. A 22-year-old miner, he was tried in May 1980 for "incitement" and "damaging the interests of the Republic abroad": he had complained about equipment at work and had openly condemned the Soviet military action in Afghanistan; he was also accused of having distributed an unspecified "anti-state" text and of having sent abroad a letter in which he criticized a political trial in Prague. He was sentenced to three years' imprisonment, reduced on appeal to 20 months', and freed when his sentence expired in November 1981. **Released.**

Nabil JA'ANINI, Jordan. A 38-year-old bacteriologist, he is serving a 10-year jail sentence imposed by a military court in 1977 for membership of the Communist Party (banned in Jordan) and possession of prohibited communist leaflets. In response to appeals for his release by AI members, the Jordanian authorities have said he is in prison for involvement in "subversive activities and organizing cells to undermine the security of the state". **Still in detention.**



March
1981

Angel CUADRA Landrove, Cuba. A poet and lawyer who was sentenced in May 1967 to 15 years' imprisonment for "anti-state" activities. He was freed when his sentence expired on 6 April 1982. **Released.**

Willyball RUM, Indonesia. A former local government employee, he was arrested in February 1975 after he and others had signed and distributed a document calling for the independence

of the Indonesian province of Irian Jaya. He was tried in March 1977 on charges of subversion and showing contempt for the head of state and is believed to have been sentenced to eight years' imprisonment—he is thought to be due for release in August 1982. **Still in detention.**

Saida Botan ELMi, Somalia. The wife of a former Supreme Court judge, she was detained in 1978—apparently in reprisal for her husband's flight shortly before to Ethiopia. The mother of three, she was reported to have been admitted to hospital a number of times during detention because of torture. She was released in early February 1982, said to be in poor health. **Released.**

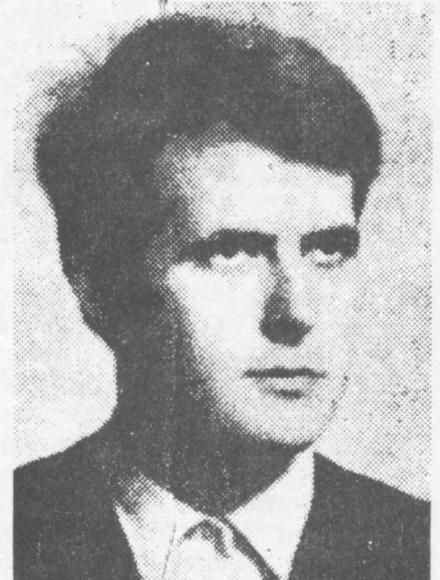


April
1981

Ismael SENA, Uruguay. A telephone engineer and trade union leader, he and his wife, Alicia, were arrested and taken from their 18-month-old twins in October 1975. She was detained for three years. He was held blindfold and incommunicado and tortured over a period of six months before being sentenced to nine years' imprisonment for "subversive association". He was badly injured during detention and his health has deteriorated over the years to such an extent that there is concern about the effects on him of the two and a half years at least which he has still to serve. **Still in detention.**

Youssif Himat HASSAN, Sudan. An assistant bank manager aged 40, he was arrested in May 1979 and detained without charge or trial for more than two years for his alleged membership of a banned political party. In January 1981 AI learned that he was suffering from serious medical complaints; he is reported to have refused to undergo an operation under the conditions set for prisoners. He was freed unconditionally in October 1981 on medical grounds and allowed to go abroad for treatment. **Released.**

Nguyen Sy TE, Viet Nam. A writer and educationalist, he has been held since February 1976; he was arrested when reportedly writing an essay critical of the government. Officially classified as a "reactionary", he is detained without charge or trial in a "re-education" camp, where he is said to be in poor health. **Still in detention.**



Horacio Ciafardini, Argentina . . . held since July 1976, after an alleged "Marxist" plot (see next page).



May
1981

Tieble DRAME, Mali. A former teacher in the capital, Bamako, he was one of a group of teachers arrested in July 1980 after a trade union dispute with the government. In September he and 11 others were sentenced to three months' imprisonment. After the expiry of their sentences they were banished to remote areas of Mali. Tieble Drame escaped in June 1981 and fled to Paris. A month later the authorities announced an amnesty for the banished teachers, who were allowed to return to their jobs in Bamako. **Free.**

Sylvio CLAUDE, Marie-France CLAUDE, Gabriel HERARD, Haiti. They were among hundreds of people arrested in security force raids in late 1980; Gabriel Herard is reported to have been tortured. After a one-day trial in August 1981, the three and 19 others were sentenced to 15 years' imprisonment with hard labour for arson and plotting against the state. These sentences were quashed in February 1982 and a new trial ordered; the defendants have been kept in custody. **Still in detention.**

Vasyl STUS, USSR. A leading Ukrainian poet and human rights activist, aged 43, he is serving a 15-year sentence of imprisonment and exile for his activities as a Helsinki monitor; he was convicted of "anti-Soviet agitation and propaganda" in 1980.

He is serving his term of imprisonment in the special regime section of a corrective labour colony—the harshest form of corrective labour colony—in the Perm region. He is known to suffer from a stomach ulcer contracted during a previous term of imprisonment (eight years), also for “anti-Soviet agitation and propaganda”. **Still in detention.**



June 1981

Horacio CIAFARDINI, Argentina. An economist and university lecturer aged 40, he has been in detention since July 1976, when he and other personnel at Southern University, in Bahía Blanca, were arrested after what the authorities called a “Marxist” plot. He was acquitted of any involvement in March 1979—but is still being held at the disposal of the National Executive Power (PEN). **Still in detention.**

TSEHAI Tolessa, Ethiopia. The wife of the Reverend GUDINA Tumsa, an internationally known church leader who “disappeared” after being kidnapped in July 1979 (see June 1980 *Newsletter*), she has been detained without charge or trial in Alem Bekagne Prison in Addis Ababa since February 1980 when she was reported to have been tortured. **Still in detention.**

Petr UHL, Czechoslovakia. A 41-year-old engineer, he has been harassed by the authorities and imprisoned over a period of 12 years. He is now serving a five-year sentence for “subversion on



a large scale” (imposed in 1979) in the second (stricter) prison category in

Mirov Prison—it is his second term as a prisoner of conscience. A report reaching *AI* in December 1981 said he had not been allowed to receive a parcel for six months. He is married with two children. **Still in detention.**



July 1981

José Felix MARTINEZ Salgueiro, Uruguay. A former army officer, he has been held since March 1971 and is one of the longest-serving prisoners of



conscience in Uruguay. He was arrested after uncovering a planned military coup (which eventually took place in 1973) and sentenced by court martial to 15 years’ imprisonment plus from three to eight years’ “security measures”. He is reported to be continually harassed by his guards at *Libertad* Prison and has spent a third of his imprisonment in punishment cells. His health is said to be poor. New proceedings have now begun against him for “insubordination”. **Still in detention.**

TAN Kim Oh, Singapore. A former student at Nanyang University, he was arrested in late 1966 for criticizing government policies. He was held without trial until his release in December 1980. **Released.**

Doru BODNARIUC, Gerhard KLOOS, Romania. The former is a joiner, aged 25, the latter a welder, aged 26. Both were sentenced in 1979 to five years’ imprisonment after they had publicly demonstrated in support of their right to emigrate. They are reported to have been released as a result of an amnesty in August 1981. **Released.**



August 1981

Urbain SOSSOUHOUNTO, Benin. A former student at the University of Benin, he has been held without charge or trial since March 1979, after a school strike in Abomey. **Still in detention.**

Manfred BARTZ, GDR. A writer now aged 47, he is serving a six-year prison sentence imposed in late 1980 for “incitement hostile to the state”. The charge is believed to be based on satirical writing which he distributed among his friends. He is being held in Brandenburg prison. **Still in detention.**

LEE Woo-jae, HAN Myung-sook, Republic of Korea. Both were members of the Korea Christian Academy and, with others, were arrested in March



Han Myung-sook (left), released, and Lee Woo-jae, still detained.

1979, charged with, *inter alia*, possession of banned books and setting up an “anti-state organization”. The defendants later said they were tortured into confessing to the charges. Lee Woo-jae is still serving his sentence of five years’ imprisonment; Han Myung-sook was freed under a presidential amnesty in August 1981. **Lee Woo-jae, still in detention; Han Myung-sook, released.**



September 1981

LIU Qing, People’s Republic of China. A former editor of the unofficial journal *April Fifth Forum*, is serving a sentence of three years’ “re-education-through-labour” imposed in July 1980 for distributing a transcript of the trial of another prisoner of conscience.

In late 1981 *AI* received a copy of a 196-page account by him of his imprisonment, in which he described his ill-treatment while detained in Peking (see January 1982 *Newsletter*). **Still in detention.**

Ali Said ZAHNAN, Egypt. A furniture-maker from Damietta, he is serving a five-year prison term imposed on him in July 1978 for belonging to a communist organization.

His health is said to have deteriorated in prison and in early 1982 *AI* learned that he had been moved from prison to a Cairo hospital for treatment of a kidney complaint. His sentence expires in September this year. **Still in detention.**

George ANASTASIADIS, Greece. A Jehovah's Witness, he was sentenced in June 1980 by Athens Military Court to four and a half years' imprisonment (reduced on appeal to three and a half years) and five years' loss of civil rights for refusing to perform military service because of his religious convictions. He was freed in February 1982 and has obtained his certificate of discharge from the army. **Released.**



October
1981

Manda PARIC, Yugoslavia. A former nun, she is serving a six-year prison sentence imposed in 1976 for "participation in hostile activity". She was



arrested in July 1976 while on a visit home from Vienna, where she worked as a nurse: she was alleged to have distributed copies of a Croatian emigre publication in Vienna. In late 1979 she is reported to have had an operation on her right breast and is believed to have breast cancer. She is due for release in early July 1982. **Still in detention.**

LI Ching-jung, Republic of China (Taiwan). A journalist who contributed

to various opposition publications, he is serving a five-year sentence for "sedition". He was arrested in December 1979 and convicted of spreading "pro-communist" propaganda. **Still in detention.**

Zwelakhe SISULU, South Africa. A 31-year-old journalist, he was detained by security police on 20 June 1981 and held incommunicado without charge or trial for eight months. Although he was released from custody in February 1982, he remains restricted under a three-year banning order imposed in December 1980 and continues to be adopted by *AI* as a prisoner of conscience. **Released from custody but still restricted.**



November
1981

Mark MOROZOV, USSR. A Russian mathematician and a member of an independent trade union group, he was sentenced in January 1981 to eight years' imprisonment for "anti-Soviet agitation and propaganda" while serving a previous five-year sentence of internal exile.

He is being held in a strict regime corrective labour colony in the Perm region and is said to have a heart condition. In April 1981 he was reported to have gone on hunger-strike in protest against his renewed imprisonment and also to have tried to commit suicide. **Still in detention.**

GOH Kean Seng, Malaysia. A teacher aged 31, he has been detained without charge or trial since March 1974. He is reported to have been tortured at the time of his arrest and to have been held in solitary confinement since early 1977. He is said to be in poor health. The authorities have produced no evidence of his involvement in any criminal activity. **No recent information.**

DIKONDA wa Lumanyisha, Zaire. A former university professor, he was arrested in March 1981 and questioned for several days by the national security service, the CNRI. He was alleged to have had contacts with opponents of the government and to have given an anonymous interview to Belgian journalists in which he criticized the government. He is reported to have been deprived of food during interrogation and tortured. He was later moved to a CNRI detention centre and held incommunicado and without charge under an administrative detention

order. He was released in December 1981 and is reported to be suffering from psychological problems connected with his detention. **Released.**



December
1981

María Mercedes ESPINOLA Baruch, Uruguay. Aged about 31, she is serving a 10-year prison sentence for "subversive association", imposed after conviction by a secret court in 1977. She is reported to have been tortured: she later suffered serious and lasting spinal problems, aggravated by enforced hard labour. *AI* is concerned about her physical and mental health. **Still in detention.**

Mohamed MURAD, Sudan. A lecturer in history at Khartoum University, he was one of hundreds of people arrested after trade union strikes, demonstrations and riots in August 1979 against



the government's economic policies. He was recently moved from Kober Prison to Port Sudan Prison, where conditions are said to be worse. **Still in detention.**

Fathers Joseph Nguyen Cong DOAN, Joseph Le Thanh QUE, Joseph Hoang Si QUY, Roch Dinh Van TRUNG and Brother Peter Pham Huu LAI, Viet Nam. All five prisoners belong to the Roman Catholic Jesuit order and were arrested in December 1980-January 1981 for "anti-government behaviour"; no formal charges are known to have been laid. **Still in detention.**