



## Call for end to political killings by governments

Human rights workers from 30 countries ended a conference in Amsterdam in May 1982 with a call for the international community to act to halt political killings by governments.

The International Conference on Extrajudicial Executions, organized by AI's Dutch Section, said hundreds of thousands of people had died in the past 10 years as a result of the practice, which it described as "unlawful and deliberate killings carried out by order of a government or with its complicity".

In its final statement on 2 May, the conference said the killings were continuing today in a number of countries: "These killings continue day after day outside any judicial process and in denial of the protection of law."



Salvadorians come to identify relatives killed during the night by paramilitary units outside San Salvador, March 1981.

Chris Steele-Perkins/Magnum

It said the killings were carried out both by regular military and police forces and by special units created to function without normal supervision, by death squads operating with government complicity, and assassins acting against victims in other countries.

Many of the victims of extrajudicial killings were subjected to "disappearance", illegal detention or torture before being killed.

"The scope of killings ranges from assassinations to the wholesale liquidation of political opposition," the conference said. "The scale of the

crime is sometimes not known to the international community before it has reached proportions that will damage a whole society for generations to come."

The three-day conference, called to shed light on the abuse and to seek ways of stopping it, brought together 120 participants, including independent experts, members of intergovernmental and non-governmental organizations, members and staff of AI from many countries, and activists from other human rights groups. The full text of the conference's final statement appears on page 7 □

## Djibouti forcibly returns refugees to Ethiopia

About 80 Ethiopians who had fled across the border into Djibouti in the past year or more are reported to have been forcibly returned to Ethiopia by the Djibouti authorities on 16 February 1982.

They are said to have been put in a locked train and taken to the border, where they were handed over. Some are reported to have committed suicide and others to have been injured leaping out of the moving train.

The fate of the remainder on arrival is uncertain but there are reports that they may be detained at Dire Dawa.

The expulsions followed the rounding-up of several hundred Ethiopians in the capital, Djibouti-

ville, allegedly for committing violent crimes.

Most of those carrying refugee documents were released—but several recognized refugees were detained in custody. They included a number of people who had been accepted for resettlement in the USA, as well as many others seeking asylum whose applications were still being processed.

AI wrote to the Djibouti authorities expressing concern about the expulsions and fears for the safety of the people concerned. It called on the government to reaffirm its commitment to the principle of non-*refoulement* of refugees, as guaranteed by the United Nations Convention on Refugees which the Djibouti

Government has ratified.

The government replied that 88 "illegal entrants" had been expelled to Ethiopia and 100 others to Somalia, allegedly after being involved in robberies and armed attacks.

In a reply, AI cited the names of some of the refugees said to have been expelled and called for an official inquiry into the expulsions and a review of procedures for determining refugee status.

• AI also appealed to the Ethiopian authorities to release unconditionally all those who had been returned to Ethiopia; it pointed out that an amnesty decree of June 1980, referring specifically to Ethiopian refugees in Djibouti, guaranteed them freedom from persecution on return □

## South Africa

# Bannings: 13 orders lifted but church leader gets three more years

Thirteen South Africans restricted under banning orders had their orders lifted in February 1982. They included several who had been adopted by *AI* as prisoners of conscience, among them David Adler, Alan Aderem, Sedupe Ramokgopa and Asha Rambally. No reasons had been given by the Minister of Justice for the administrative imposition of these orders and no reasons were given for their revocation.

In May another 10 banned people had their banning orders prematurely lifted, among them Don Mattera and Charles Nqakula, both journalists, and Kader Hassim, a lawyer.

In the last few months, however, several banning orders have been imposed or renewed.

On 30 April 1982 the first black Secretary General of the South African Catholic Bishops' Conference, Father Smangaliso Mkhathshwa, who had been restricted since 1977, had his banning order renewed for another three years. Dr Mamphela Ramphele, a member of the Black Consciousness movement who ran a health centre in Kingwilliamstown, Cape Province, had her five-year order (imposed in 1977) renewed for two years on 31 May 1982. She has again been banished to the remote town of Tzaneen, in north-eastern Transvaal.

New restriction orders included a five-year ban imposed on David Johnson, President of the Black Students' Society at Johannesburg's Witwatersrand University, on 11 January 1982.

In April and May 1982 banning orders were served on several people recently released from five to nine months' detention without charge or trial under the Terrorism Act: Four leading trade unionists from the Port Elizabeth area, Siphon Pityana, Maxwell Madlingozi, Zamile Mjuza and Dumile Makanda, were served with two-year orders on being released in February after nine months' detention. Nicholas "Fink" Haysom, lawyer and researcher at the Centre for Applied Legal Studies at Witwatersrand University, and former President of the National Union of South African Students, was banned for two years after four months' detention. Two industrial sociology students at the same university, Keith

Coleman and Clive van Heerden, who had written for the South African Students' Press Union, were also banned for two years after being detained for five months. Another former detainee, Morris Smithers, was banned for two years on 13 April 1982 shortly before he was due to testify at an inquest into the death in detention of Dr Neil Aggett (see March *Newsletter*); he had been released in March after four months' detention.

In May two executive members of the Natal Indian Congress in Durban, Pravin Gordhan, who had just been released from over five months' incommunicado detention without trial, and Moorooogiah Naidoo, were served with three- and two-year banning orders respectively.

Banning orders are imposed administratively by the Minister of Justice: no reasons are given and there is no legal redress against such an order. Banned people may not communicate with each other, or be quoted or have material published. They may not attend any social or political gathering, or enter an educational establishment or factory. They are usually restricted to a certain district and are often put under house arrest during the hours of darkness and throughout weekends. Those contravening banning orders may be prosecuted and imprisoned □

## Death sentences on three are commuted

The death sentences on three alleged members of the banned African National Congress—Ncimbithi Johnson Lubisi, Petrus Tsepo Mashigo and Naphtali Manana—were commuted to life imprisonment on 3 June 1982 by the State President of South Africa. All three had been convicted of treason and sentenced to death by the Pretoria Supreme Court in November 1980. Their appeals against sentence were rejected by the Appeal Court in April 1982 (see June *Newsletter*).

Convicted political prisoners in South Africa receive no remission of sentence and those serving life sentences are held for the duration of their natural lives □

## Kenya

# Detentions follow call for an opposition party

A former member of parliament and his lawyer are among the first people to be detained under Kenya's Preservation of Public Security Regulations since President Daniel arap Moi's government came to power in 1978. Both are being held without charge or trial.

George Anyona, who was adopted by *AI* as a prisoner of conscience in 1977 and 1978, was arrested on 2 June 1982 after publicly advocating the formation of an opposition party, as permitted under the country's constitution. His lawyer, John Khaminwa, who had acted as defence lawyer in politically sensitive cases in recent months but was not himself active in politics, was arrested the next day. No specific reasons were given by the authorities for the detentions—but shortly afterwards President Moi is reported to have publicly accused "subversive elements and plotters" of "seeking to undermine the government and cause political chaos".

At least seven university lecturers were also arrested in early June, including Al-Amin Mazrui and Maina wa Kinyatti. The latter has been remanded in custody on a holding charge of possession of a seditious publication but the legal status of the other lecturers is not clear at the time of going to press.

A journalist, Wangonde Kariuki, is currently in custody on the same holding charge; he was arrested on 15 May. The Attorney General's consent is required before a holding charge can formally proceed.

*AI* has expressed concern about the arrests to President Moi and has called for those still held to be brought to trial or released without delay □

## Prisoner Releases and Cases

The International Secretariat learned in May of the release of 66 prisoners under adoption or investigation; it took up 188 cases.

## DEATH PENALTY

*AI* has learned of 109 people being sentenced to death in 15 countries and of 72 executions in five countries during May 1982.

# 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.

## Pastor Anaya Cuadros, Peru

*A teacher and leader of a peasant community near Lima, he has been detained since 10 February 1982, charged with "terrorism".*

Pastor Anaya and nine others were detained after about 300 Civil Guards raided the Jicamarca *comunidad campesina* (peasant community) on 10 February. According to community members, house-to-house searches were carried out and residents beaten.

A primary target of the raid was the community development institute, the *Instituto de Investigación y Promoción Agraria-Lima* (INPAL), which has helped develop the area. Pastor Anaya is the institute's director.

The raid followed a court case in which a local landowner had unsuccessfully claimed title to community lands. Before the raid landowners claiming rights to community lands had put paid advertisements in Peruvian newspapers accusing it of terrorism.

Under Peruvian law, if a community loses its status as a *comunidad campesina* its land may be sold off.

In a statement to a press conference the day after the raid, a Civil Guard representative said Jicamarca should not have its *comunidad campesina* status, suggesting that it was a "facade" for subversive activities. He said Pastor Anaya was the head of a terrorist organization and was responsible for "inciting land takeovers". The evidence presented to the conference included a slide projector from INPAL and reels of film from a Dutch documentary on the building of Jicamarca's reservoir by community women.

Despite the gravity of the charges against the community, a local court had by 22 February ordered the unconditional release of all the detainees except Pastor Anaya. He is being held under Decreto 046 (known as the "Law against Terrorism")—but no specific act has been cited in the charges against him. He remains in detention in El Frontón island prison awaiting a judicial hearing. AI believes he is being held

solely for the non-violent leadership of his community.

*Please send courteous letters appealing for the release of Pastor Anaya to: President Fernando Belaúnde Terry/ Palacio Nacional/Lima/Peru.*

## Jean-Marie Aubame, Gabon

*A civil servant in his late fifties, and formerly a diplomat at the United Nations; he has been detained without trial since November 1981.*

Jean-Marie Aubame and at least 10 others were arrested by security police in Libreville on 27 November 1981, on suspicion of forming an opposition political party, the *Mouvement de redressement national* (MORENA), Movement for National Recovery. (Gabon is a one-party state and no opposition parties are permitted.) Jean-Marie Aubame and several others were accused also of writing an 18-page document criticizing the political situation in Gabon. They are said to have intended sending this to President Mitterrand of France in the hope that the French Government might intervene with Gabon's President Bongo in order to introduce a multi-party system in the country.

Jean-Marie Aubame was initially questioned by the security police and then held at the headquarters of military intelligence. In December 1981 he was transferred to Libreville's central Gros-Bouquet prison, where he was held for several days naked in a damp cell. He is believed to be detained now in a special section of the prison for political detainees.

Throughout his detention he has been kept incommunicado and not allowed to communicate with his family or with a lawyer; he was, however, eventually allowed to receive food from his family.

*Please send courteous letters appealing for his release to: Son Excellence El-Hadj Omar Bongo/Président de la République/B.P. 546/Libreville/Gabon.*

## Henrikas Jashkunas, USSR

*A 55-year-old Lithuanian, he is serving a 15-year sentence of imprisonment and internal exile for preparing samizdat, privately published, unofficial and uncensored material.*

Henrikas Jashkunas was arrested after about 1,000 unofficial documents were discovered in his cellar in December 1976. Written by a group calling itself the "United Front for Peace and National Liberation of the Peoples of the USSR" (of which he was a member), the documents called for a referendum on peaceful secession of minority nationalities from the USSR. The right of Union Republics to secede from the USSR is guaranteed by the Soviet constitution.

Henrikas Jashkunas was convicted of "anti-Soviet agitation and propaganda" in 1977 and is now confined in the special regime section of a Corrective Labour Colony No. 36 in the Perm region. This regime is the harshest form of corrective labour camp under Soviet law and is intended for "especially dangerous recidivists". Henrikas Jashkunas is reported to have had at least one heart attack during his imprisonment and also to have lost many of his teeth.

He previously served 18 years' imprisonment and internal exile after being arrested in 1947 for his part in an unofficial youth group which posted leaflets protesting against Lithuania's accession to the USSR in 1939. He was sentenced to 25 years' imprisonment. The sentence was doubled in 1953 after he had organized a successful labour strike among his fellow prisoners. He was released ahead of term in 1965.

He was adopted by AI as a prisoner of conscience in January 1978, and is married with two children.

*Please send courteous letters appealing for the release of Henrikas Jashkunas to: Mr A. Rekunkov/The Procurator General of the USSR/ul. Pushkinskaya 15a/Moskva/USSR.*

Some 1,000 political prisoners are being held in Uruguay, according to official figures released earlier this year. The majority of them are held in the military-run Libertad Prison for male political prisoners, and the testimony of former inmates suggests that most prisoners there are being held in conditions deliberately designed to undermine their psychological stability. A particularly disturbing development has been the retrial of political prisoners, some of them after they had served sentences of eight and nine years and had their release ordered by the courts. In a number of cases the prisoners are reported to have been tortured.

## Long-term political prisoners in Uruguay face new charges

Two months after a court had ordered his release from Libertad Prison, 35-year-old Augusto Kennedy Arbiza is reported to have been secretly removed from the prison complex by three officers of the armed forces.

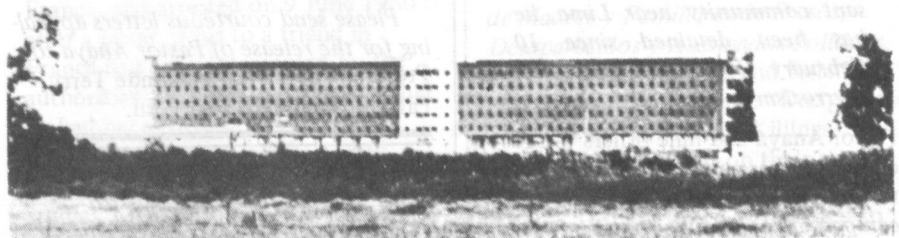
Reports received by *AI* say they entered his cell, hooded him and took him to a military barracks, where he was held incommunicado for at least 10 days. During this period he is reported to have been tortured, interrogated and forced to sign a "confession" which he had not been allowed to read.

This confession is reported to have been used later when he was tried *in camera* before a military court; the charge was under Article 60(5) of the Military Penal Code: "subversive association".

By then Augusto Kennedy, a former teacher, had been imprisoned for just on nine years. He was first sentenced in May 1972 to between six months' and two years' imprisonment for "assisting a subversive organization", a charge that then fell under the country's civilian penal code. He was subsequently twice retried in prison on the same charge before military courts:

- After about 18 months he was retried under the Law of State Security and Internal Order (1972), applied retroactively, and sentenced to another five years' imprisonment. After the expiry of this sentence his release was ordered by the Supreme Military Tribunal in April 1979.
- However, two days after being legally notified of his release he was brought before the same military tribunal, retried and sentenced to a further two years' imprisonment.

His total sentence of eight and a half years expired in December 1980, when he again received legal notification of his release by court order. In February 1981 he was removed from



Libertad Prison

Perry Kretz/Stern

Libertad Prison by the three military officers. He was tried in April and returned to Libertad at the end of that month and held incommunicado in an isolation cell until 24 June.

In February 1982 *AI* received a report that he had been sentenced to another eight years' imprisonment after the April 1981 trial.

Augusto Kennedy is one of a number of political prisoners in Libertad Prison who are reported either to have been retried or to be facing retrial for alleged offences under the Law of State Security and Internal Order (1972) and the Military Penal Code, allegedly committed while the inmates were being held in prison. *AI* has details on 21 of the cases, including that of Augusto Kennedy.

The following eight prisoners are known to have already completed their prison sentences before or shortly after the new trial proceedings were initiated and in five of these cases *AI* has been informed that the prisoners' release from prison had been authorized by the competent military judge: Julio **Etchecury** Moreira, release ordered by court December 1980; Américo Domingo **Méndez** Segovia, release ordered by court February 1981; Luis Enrique **Bernier** Ferrero, release ordered by court May 1981; Rubén **Paiva**, release ordered by court in 1980; José Luis **Frustacio** de los Santos, completion of sentence December 1980; Orlando José **Pereira** Malanotti and Milton **Ramírez** Romero, completion of sentences August 1981; and Alfredo **Gómez** Selay, completion of sentence January 1981.

Another 12 prisoners have reportedly been committed for trial on similar charges but have not reached the end of their original sentence. They include two prisoners whose sentences are not due to expire until the second decade of the 21st century. The 12 are: Mario **Teti** Izquierdo and Julio Fernando **Frejeiro** Correa, original sentences expire May 1982; Jorge **Voituret**, original sentence expires December 1982; Raúl **Martínez** Machado, original sentence expires 1982-1984; Leonardo **Moreira**, original sentence expires May 1983; Walter **Medvedeo** Lema, original sentence expires 1983-1987; Conrado Alcedo **Gyurcovitz** Herbón, original sentence expires 1986-1989; José Félix **Martínez** Salgueiro, original sentence expires 1989-1994; Juan Alfredo **Alzugarat** Triás, original sentence expires 1989; Juan José **Cruz** García, original sentence expires 1995-1997; Ignacio **Fonseca** Young, original sentence expires 2010-2015; and Washington **de Vargas** Saccone, original sentence expires 2012-2017.

*AI* is concerned that procedures in the trials of these prisoners do not conform to international standards for a fair and impartial trial. Trial proceedings are reported to have been based on confessions obtained under duress while prisoners were held incommunicado without access to a lawyer. Prisoners have allegedly been asked to sign such confessions without being allowed to see their contents.

Unconfirmed reports have indicated that interrogations have been conducted by a court official or military officers without proper legal authority. Many

of the prisoners were allegedly tortured before these interrogations.

Courts have not been impartial since proceedings have been conducted by military judges who are themselves officers in the armed forces, and in many cases the defence of the prisoner has been conducted by military officers appointed by the courts.

Prisoners serving sentences have been summarily removed from the prison by orders of the military authorities for re-interrogation, without their families being informed of their whereabouts. Many have been held for months in military barracks where they have been held incommunicado and reportedly tortured before being returned to the prison.

Most of the prisoners were originally convicted on charges of sedition under the Law of State Security and Internal Order (1972) and the Military Penal Code, following their arrest by the security services in 1971 and 1972, and received sentences ranging from 7 to 40 years' imprisonment. The timing of the arrests, and official statements, indicate that the majority, but not all, of the prisoners were arrested on suspicion of membership of, or links with, the *Movimiento de Liberación Nacional* (MLN-Tupamaros), an urban guerrilla group which carried out armed actions during the late 1960s until it was effectively dismantled by the armed forces in 1972.

Prisoners arrested before and during 1972 were charged under the Ordinary Penal Code. However, after the enactment of the Law of State Security and Internal Order in July 1972 (which brought civilians charged with political offences under the jurisdiction of military courts) their cases were handed over retroactively to military courts.

Most of the prisoners have been accused of belonging to a faction of the MLN Tupamaros, known as the *Seis Puntistas*, and of having been engaged in subversive activities while serving prison sentences in Libertad. (AI's information is that Rubén Paiva, José Félix Martínez Salgueiro, Ignacio Fonseca Young and Washington de Vargas Saccone were not among those charged in connection with the activities of the *Seis Puntistas*.)

It is believed that the majority are charged with "subversive association", which carries a prison sentence of 3-18 years. Others have been charged in addition with "*desacato*" (contempt) under Article 173 of the Ordinary Penal Code.

In October 1980 AI issued an urgent action appeal on behalf of a medical student, Mario Teti Izquierdo, following



Washington de Vargas Saccone... a former law student now aged 30, he is reported to have been tortured repeatedly since his arrest in May 1972 and is now held in Libertad Prison, where he is reported to be in poor physical and mental health.

He was sentenced in December 1972 to two years' imprisonment for "unlawful association to commit a crime". A year later a military judge signed a warrant for his release and ordered bail of 100,000 Uruguayan pesos, which his family paid. He was not released but held in a military barracks in San José until June 1976, when he was retried and sentenced to six years' imprisonment for "attacking the constitution". (The sentence was dated from the time of his arrest in May 1972.) He was transferred to Libertad Prison, but removed again from April to June 1977, when he is reported to have been repeatedly tortured.

reports that he had been removed from Libertad to an unknown destination.

In November and December 1980 four other prisoners were removed from Libertad for interrogation in a military barracks: Orlando Pereira Malanotti, a psychologist, Victor Romano and Hugo Blanco, both doctors, and Raúl Noel Martínez Machado, a history teacher.

A further series of "secret transfers" from the prison were reported in February 1981, including that of Augusto Kennedy.

The official explanation for these events was given in a press statement in December 1980 which referred to an alleged conspiracy involving about 120 Libertad prisoners which was to culminate in a planned invasion of the national territory from abroad.

The plausibility of the charges against the prisoners may be questioned. The allegations made in the official statement, which was issued before the

In June 1977 he was charged with involvement in the murder of two police agents, two armed attacks and the takeover of a radio-station. The charges related to events in 1971; officials are reported to have claimed they only learned of Washington de Vargas' alleged involvement after he had been imprisoned for some time. He has consistently maintained his innocence of these charges.

In March 1978 the Supreme Military Tribunal notified his defence lawyer that the date for his release was 21 May 1978. In April he is reported to have been badly beaten by a group of officers in Libertad Prison after he had refused to sign a confession to the new charges. He was taken to hospital in a coma. From there he was taken to a military barracks for further interrogation and is reported to have been tortured once more.

In May 1978 a new trial began against him for "co-authorship" of "attacks on the constitution", murder, and robbery. He was sentenced to 24 years' imprisonment and a further four years' administrative detention. The Supreme Military Tribunal is reported to have increased this to 30 years' imprisonment and 10 to 15 years' administrative detention.

In September 1981 he is reported to have been removed from Libertad again and tortured. He is now facing a fresh trial, for "contempt" — for refusing to sign an official notification of his sentence.

prisoners were charged, have not been publicly clarified after the subsequent secret court proceedings. AI does not know on what alleged individual criminal acts the charge of "subversive association" has been based. The opportunities for prisoners to congregate and talk together in the high security prison of Libertad are extremely limited: during the daily one-hour recreation period prisoners can only talk in pairs, and conversations during the fortnightly family visits are carried out by telephone from behind a glass screen.

AI believes that the retrials may have been used to silence a group of prisoners who were attempting to denounce conditions at Libertad Prison. It is also believed that prisoners considered politically dangerous or as likely to resume political activities on their release may be subject to further detention or retrial as a preventive measure □

# Iran

## Execution toll over 4,400 — many shot in secret

The number of people officially announced to have been executed in Iran since the revolution of February 1979 is now well over 4,400—but reports reaching *AI* indicate that many more people have been put to death in executions which have not been made public by the authorities.

A total of 165 secret executions are reported to have been carried out in Tehran's Evin Prison on 12 and 26 March 1982, according to a statement on 15 May by the Paris office of the People's Mujahideen Organization of Iran. Among those reportedly executed were Amir **Siavosh**, a university student, and Golamreza **Safari**. The 75 people reported to have been executed on 12 March are said to have been given a week to express repentance on television or face execution.

The French newspaper *Le Matin* referred on 2 April to reports of some 800 executions between 1 and 11 February 1982 which had reached the newspaper from Iranian prisons; it described its sources as "totally independent of political channels". However, *Le Matin* added that "Such figures cannot be openly investigated, for executions are no longer announced."

Although it is impossible for *AI* to confirm these figures, accounts from other sources—including members of the Baha'i faith and a group of exiled Iranian lawyers, the *Comité indépen-*

*dant des avocats iraniens "en exil"*—confirm that people are being executed secretly in Iran and that in many cases the families are not informed until well after the executions.

Many executions appear to have taken place without trial or when no death sentence has been passed:

- **Omid Gharib**, a former student in France, was arrested on 9 June 1980 after a letter of his to a friend in France had been intercepted by the authorities. His indictment stated that he had been "westernized, brought up in a westernized family. . . had been too long in Europe for his studies. . . smoked Winston cigarettes and. . . displayed a tendency to the left". At his trial he was sentenced to three years' imprisonment—but on 2 February 1982 his parents learned that he had been executed two days earlier.

- **Ebrahim Eshghani** is reported to have been secretly executed in November 1981 in Chah Bahar Prison in Baluchistan, after having been sentenced to life imprisonment.

*AI* is still seeking information about 11 Baha'is who were arrested in August 1980 and have not been seen or heard of since. Nineteen Baha'is have been executed in Iran during 1982, bringing the total number of adherents executed since the 1979 revolution to more than 100□

# El Salvador

## Human rights worker killed, two 'disappear'

Three more human rights workers are reported to have become victims of "disappearance" and political killing in El Salvador in recent months.

Two of them, María Jesús **Echeverría** and Juana **Lara**, are reported to have "disappeared" in April, together with several children. The two women are members of the *Comité de Madres y Familiares de Presos, Desaparecidos y Asesinados Políticos*, Committee of Mothers and Relatives of Political Prisoners, the "Disappeared" and Victims of Political Killings. *AI* has no further details on their case.

A third human rights worker, Tomás Antonio **Leiva**, is reported to have been killed by a paramilitary group in Morazán Province in late April or early May. He was a journalist and member of the *Comisión de Derechos Humanos de El Salvador*, El Salvador Human Rights Commission, an independent human rights monitoring group.

- In early October 1980 María Magdalena **Enríquez**, the commission's press secretary, was found dead in a shallow grave about 20 miles from San Salvador. She had been abducted on 3 October 1980. Another representative of the commission, Ramón **Valladares Pérez**, was killed on 26 October 1980 by unidentified gunmen. In December 1981 three more members of the commission were arrested: Carlos Eduardo **Vides**, aged 20, a medical student; Norberto **Huezo Martínez**, aged 25, a dental student; and Francisco Antonio **Barraza**, aged 27, a school teacher. They were later located in a cavalry barracks, to which they had been taken by the 5th Infantry Regiment. However, according to the latest information available to *AI*, they are still being held illegally and no charges have been brought against them□

# Swaziland

## Hanging now a major issue following ritual murders

The death penalty has recently become a major political issue in Swaziland following a series of so-called "muti" murders, in which victims are killed for ritual purposes. In March 1982 Prime Minister Prince Mabandla Dlamini told the country's parliament that there were 34 reported murders of this type between 1978 and 1981, and that 12 of them had resulted in arrests.

No executions are reported to have been carried out in Swaziland between 1977 and mid-1981, although a number of people are believed to have been sentenced to death. In July 1981 there

was an abrupt change in government policy and eight prisoners were hanged, all apparently sentenced to death for ritual murder.

*AI* wrote to Swaziland's Head of State, King Sobhuza II, and to the Prime Minister and Minister of Justice in May 1982 to appeal against the death penalty. It called for a review of government policy on the question and a return to a position of *de facto* abolition through the application of the Royal Prerogative of Mercy to commute all sentences of death imposed and confirmed by the courts□

### VIETNAMESE JESUITS HELD

*AI* has learned of two more Jesuits being detained in Viet Nam: Fathers **Khuat Duy Linh** and **Do Quang Chinh**. They were arrested in June 1981 and are being held with five other Jesuits, who were arrested in December 1980 and January 1981 and were prisoners of the month in December 1981 (see December 1981 Newsletter and supplement to June 1982 Newsletter).

# Political killings by governments

The three-day International Conference on Extrajudicial Executions ended in Amsterdam on 2 May 1982 with a call for the world community to bring an end to political killings by governments (see page 1). The conference, organized by AI's Dutch Section, was called to shed light on extrajudicial executions—which it described as “unlawful and deliberate killings carried out by order of a government or with its complicity”—and to seek ways of stopping the abuse. The conference brought together 120 participants, including independent experts, members of intergovernmental and non-governmental organizations, members and staff of AI from many countries, and activists from other human rights groups. The full text of the conference's final statement appears below.

## International Conference on Extrajudicial Executions — final statement

The International Conference on Extrajudicial Executions, convened in the Netherlands by Amnesty International from 30 April to 2 May 1982,

- Believing deeply that the arbitrary deprivation of human life is utterly indefensible in any circumstances and that governments have primary responsibility for ensuring the observance of this principle,
- Angered that governments engage in arbitrary killings of persons because of their political beliefs or activities, religion or ethnic origin,
- Demands that governments stop these practices,
- Declares that the international community should regard extrajudicial executions as a matter of the gravest and most urgent concern and should make every effort to bring to an end this denial of the right to life.

Hundreds of thousands of people in the past 10 years have been victims of extrajudicial executions—unlawful and deliberate killings carried out by order of a government or with its complicity.

These killings continue day after day outside any judicial process and in denial of the protection of law.

These killings are carried out both by regular military and police forces and by special units created to function without normal supervision, by death squads operating with government complicity, and assassins acting against victims in other countries.

A pattern of extrajudicial executions is often accompanied by the suspension of constitutional rights, a weakening of the independence of the judiciary, intimidation of witnesses, suppression of evidence and failure to act upon the results of independent investigations.

Governments often seek to cover up extrajudicial executions. They deny that killings have taken place, they attribute them to opposition forces, or they try to pass them off as the result of armed encounters with government forces or of attempts by the victims to escape.

Many of the victims are subjected to “disappearance”, illegal detention or torture before being killed.

The scope of killings ranges from assassinations to the wholesale liquidation of political opposition. The scale of the crime is sometimes not known to the international community before it has reached proportions that will damage a whole society for generations to come.

The principle of protection against arbitrary deprivation of life constitutes a value of paramount importance. This principle cannot be abandoned under any circumstances, however grave.

### Legal responsibility

Extrajudicial executions are crimes for which governments and their agents are responsible under national and international law. Their accountability is not diminished by the commission of similar abhorrent acts by opposition groups or others, or by considerations of national security.

It is the duty of governments not to commit or condone extrajudicial executions, and to take all legislative, executive and judicial measures necessary to ensure that those directly or indirectly responsible for such acts are brought to justice, and that the families of victims are compensated for their moral and material sufferings. Alleged perpetrators should be submitted to universal jurisdiction—trial or extradition wherever they may be.

### RECOMMENDATIONS

Extrajudicial executions can only be prevented through firmly rooted institutions in all countries capable of dealing with abuse of human rights of every kind. The conference recommendations in the following summary all have this aim.

- Individuals should raise their voices to make governments stop these killings and to show support for those left behind. Human rights organizations should provide them the opportunity by disseminating relevant information as promptly and objectively as possible. Joint programs of action should be initiated exposing the involvement of governments in the killings and their responsibility to bring the practice to an immediate end. Particular attention should be given to preventive measures designed to protect individuals who are in immediate danger.
- Educational institutions should be encouraged to place greater stress on the principle that extrajudicial executions are not justifiable under any circumstances.
- Minimum standards should be developed to establish that a government has investigated reports of extrajudicial executions.
- Governments should take steps to ensure that extrajudicial executions are not fostered through military, security or police transfers and international training.
- Governments should permit independent investigation on their territories, press for such investigations elsewhere, and use their diplomatic channels for fact-finding and pressure.
- Intergovernmental bodies should use existing mechanisms for investigation, reporting, and good offices and other forms of speedy intervention□

## Foreign nationals 'disappear' in Honduras

Concern is growing for the safety and well-being of more than 20 foreign nationals who are reported to have "disappeared" after arrest in Honduras since mid-1981.

Among the cases being followed by *AI* is that of a 23-year-old Costa Rican, Eduardo Anibal **Blanco** Araya, reported to have "disappeared" in November last year. He and his Costa Rican wife, Gabriela, arrived in Honduras in June 1981; he found work as a mechanic and the couple now have a baby son.

During the afternoon of 14 November—three hours after he had left home for work—three men in plain clothes called at his house, identifying themselves to his wife as agents of the Honduran intelligence service *Dirección Nacional de Investigación* (DIN). They questioned her and searched the house; they found nothing and left.

Eduardo Blanco did not return home that night and his wife has not seen him since. Inquiries by her and the Costa Rican Embassy in Honduras into his whereabouts were unsuccessful: the Honduran authorities denied he had been detained.

Gabriela de Blanco and her son



**Francisco Fairen Garbi**

returned to Costa Rica on 24 November. She heard no more about her husband until 1 December, when a released prisoner reported having spoken to him in a secret detention centre in Honduras. Reports in March 1982 indicated that he was still in the custody of the Honduran security services.

Honduran diplomatic representatives have told *AI* groups that firearms were found buried in Eduardo Blanco's garden—yet the Honduran authorities have continued to deny holding him. Relatives and others have denied the arms allegation and said he was not involved with any organization that used or advocated violence.

Two other Costa Rican nationals are reported to have "disappeared" in Honduras on 11 December 1981: Venezuelan-born Francisco **Fairen** Garbi and Yolanda **Solis** Corrales, both aged 28.

The former, a student at the University of Costa Rica, had been working since 1974 at the National Bank of Costa Rica; the latter was teaching at the Colegio Agropecuario Humberto Melloni in San Vito de Java, Costa Rica.

They left Costa Rica on 8 December, planning to drive to Mexico through Nicaragua, Honduras and Guatemala. Witnesses say they saw their car—with a young couple inside—in Tegucigalpa on 11 December. The Honduran authorities at first denied having any record of their entry into Honduras. However, the Nicaraguan authorities confirmed that the pair had passed through the border post of Las Manos on the Honduran border on 11

December—and the Honduran authorities subsequently told relatives that the two had entered and left the country on the same day. Since then Honduran statements as to when the pair left the country and which country they then entered have varied. The available information suggests strongly that the two were abducted by the Honduran security forces.

*AI* has also been following the cases of other foreign nationals reported to have "disappeared" in Honduras after arrest. They include eight Salvadorians missing since their arrest in April 1981, together with two Hondurans who had been helping Salvadorian refugees in Honduras. The Salvadorians are: José Mauricio **Barillas**, Nora Trinidad **Gómez** de Barillas, Marta Alicia **Navarro**, Francisco **García**, Edgardo **García** Arias, Salvador **Fabian**, Enoe de Jesús **Arce** Romero, Ana **Arce** Romero, Sara **Arce** Romero, and Ana María **Sierra**. The two Hondurans are: Claudia María **Domínguez** Amador and Ana Isabel **Córdoba** Ramírez.

In addition the following have been reported missing since their arrest in early August 1981: six Salvadorians, Yamira **Villalta**, José Eduardo **González**, Rafael **Torres** Rodríguez, Jorg Enrique **Jiménez** Argueta, Lisbeth Carminda **Castro** Sánchez, Flavio Narciso **López** Ayala, an Argentinian, Jorge Manuel **Morales**, and a Venezuelan, Eduardo **García** □

## Comoros Freedom for two former ministers

**Mouzaoir** Abdallah, a former Foreign Minister, was released by presidential clemency on 28 May 1982. He had been arrested in November 1981 and sentenced to one year's imprisonment in early May by the Court of State Security for "activities intended to disturb public order and encourage hatred towards the government". *AI* believes he was a prisoner of conscience.

Salim **Himidi**, a former Minister of the Interior adopted by *AI* as a prisoner of conscience, was released in January 1982 after being detained since President Ahmed Abdallah took power in May 1978. He was still being held without charge or legal authority when an *AI* mission visited Comoros in May 1981. In late 1981 he was charged with having committed a murder in 1975 but was acquitted by the Special Court of Justice and released. Eight other 1978 detainees were released at the same time □

## Mission to Chile

An *AI* delegation visited Chile from 24 April to 15 May 1982. The delegates were two medical doctors and a member of the International Secretariat staff.

The mission examined people who are alleged to have been tortured and contacted a variety of sources such as human rights groups, lawyers and members of the medical profession. Although the delegation requested a meeting with the Minister of the Interior and the Minister of Justice, there was no response to the request □

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