



Cruel, unjust and irreversible
Abolish the Death Penalty

As part of its growing campaign to mobilize world public opinion against the death penalty, *AI* has now published a detailed country-by-country report on the laws and methods by which people may be put to death in 134 countries. The *AI* report, titled *The Death Penalty*, deals both with the judicial death penalty imposed by courts in accordance with national law and with extrajudicial executions, described in the report as "murder committed or acquiesced in by government".

Although the report gives separate statistics for individual countries under review, the figures indicate that at least 7,500 people are known to have been sentenced to death throughout the world during the past 10 years, more than 5,000 are known to have been executed and over half a million are known to have been the victims of political murders.

More than 2,000 of the judicial death sentences covered in the report were handed down in political cases. In the remaining cases, courts handed down the death sentence against people convicted of violent crimes or of sexual or economic offences.

The methods by which countries put their victims to death vary from the guillotine in France to the electric chair and gas chamber in the United States of America, to hanging in South Africa, to the firing squad in Ghana and Syria.

The report also indicates that, in addition to those who have been killed outright, large numbers of people—many of them active in opposition political groups—have been made to "disappear" as a result of arrests by paramilitary groups or members of security forces acting outside the framework of the law but with apparent consent of the responsible authorities. Many of the victims are believed to have been either kept for years in secret camps or killed.

Other cases covered in the report include prisoners who have been executed without trial and those reported to have died in detention—many as a result of torture.

The official position of the United Nations is that it is desirable to abolish the death penalty in all countries and that the crimes to which it applies should be progressively reduced.



The death penalty as a political weapon: Kurdish rebels are shot after summary trials in Iran. In all cases—whether criminal or political—*AI* argues that the death penalty violates the international standards of the right to life and the right not to be subjected to cruel, inhuman or degrading punishment.

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The International Covenant on Civil and Political Rights—which more than 50 countries have now ratified—stipulates that the death penalty may be imposed "only for the most serious crimes". However, legislation in many countries described in the report allows execution for such diverse offences as adultery, drug peddling, the destruction of army property, "sabotage", hoarding, embezzlement and illegal currency dealings.

Although executions have not taken place for a number of years in a variety of countries, only 20 countries had completely abolished the death penalty by mid-September 1979, according to information available

to *AI*. Another 12 countries retain it for use only in exceptional circumstances.

Since the *AI* conference on the death penalty held in Stockholm in 1977, the question of abolition has been debated within social and legal systems where, until recently, capital punishment was accepted without question. One of the main aims of *AI*'s report is to broaden the context in which the abolition of the death penalty is considered, so that it includes the legal and social systems of Africa, Asia, Eastern Europe, Latin America as well as other parts of the world. (See feature, pages 4 and 5) □

International Council of AI meets

The supreme governing body of *AI*, the International Council comprising representatives of all national sections and members of the International Executive Committee, met in Leuven,

Belgium, in September. The main policy decisions and results of elections to the International Executive Committee are carried on the back page of this issue of the *Newsletter* □

Iraq Government declares general amnesty

The Iraqi government under its new President, Saddam HUSSEIN, announced a general amnesty on 16 August for all prisoners convicted by Revolutionary Courts and special courts, including those sentenced to death, those sentenced *in absentia*, and all Kurdish soldiers and civilians convicted of crimes carried out in the autonomous region of the country.

Official reports state that 725 prisoners have benefitted from the amnesty, including 400 Kurds and 200 other political prisoners, 24 of whom are communists.

Those convicted of economic sabotage in complicity with foreign circles, espionage, drugs and conspiracy against the party and the state, were excluded from the amnesty. This category covers all those recently arrested following the discovery of the alleged conspiracy against the new president.

In a letter to the Iraqi authorities AI welcomed the amnesty and asked which of the prisoners whose cases have been taken up by the organization have benefitted from the amnesty □

Brazil Rights restored to thousands

The recent amnesty bill approved by the Brazilian congress on 22 August marks a positive step towards a return to the rule of law in Brazil, AI said in a cable to President João Baptista FIGUEIREDO on 24 August. At the same time AI appealed to the President to give urgent consideration to granting a pardon for the estimated 300 people, including 38 political prisoners, who have been excluded from the amnesty.

AI also expressed its hope that the problem of those who have "disappeared" in Brazil would be investigated by a special commission of inquiry.

The amnesty will lead to the release of 14 prisoners of conscience and permit the return of hundreds of political exiles. It will also restore full political rights to nearly 5,000

citizens, and while those who lost their jobs as a result will not be reinstated, they may eventually receive some compensation and be able to draw a pension.

The time limit of the amnesty which originally ran from 2 September 1961 to 30 September 1978 has been extended to the end of August 1979. As a result, the recently arrested strike leaders in Minas Gerais who have been charged under the National Security Law should benefit.

Nevertheless, an amnesty bill that includes those accused of violent crimes but who have never been convicted, and that excludes those who have been sentenced and have already served considerable lengths of time in prison for the same offences, is clearly unjust □

Guinea Archbishop released from prison

The Roman Catholic Archbishop of Conakry, Monseigneur Raymond-Marie TCHIDIMBO, was released from prison in Guinea on 7 August after having spent eight years as a prisoner of conscience. He immediately left the country for Monrovia, the capital of Liberia, to visit President William TOLBERT who had made several intercessions on his behalf, and to celebrate his first Mass since his detention. He was reported as looking well but tired.

Mgr Tchidimbo was arrested in December 1970 following an attack on Conakry by Portuguese military

forces in November. He was tortured at Alpha-Yaya prison camp and on 24 January 1971 he was sentenced to hard labour for life for complicity in the attack on Conakry. More than 60 other people were sentenced to life imprisonment and 91 were sentenced to death (33 *in absentia*) by a "revolutionary tribunal" on similar charges. During the trial none of the accused was allowed adequate defence.

Mgr Tchidimbo was sent to the notorious Camp Boiro prison in Conakry where hundreds of prisoners are reported to have died in recent years from torture, disease and starvation □

Argentina New law on disappearances

The government of Argentina has introduced a new decree law, number 22068, under which anyone who has disappeared since 6 November 1974 (the beginning of the state of siege) may be officially considered dead upon the request of a relative or the state, despite opposition from other members of the disappeared person's family.

Under the law, which entered into force on 13 September, a certificate of presumed death can be issued if a relative or the state presents the case to a judge who must then publish an appeal in the official gazette for five consecutive days calling upon the disappeared person to come forward. If the person has not answered the appeal within a 90-day period the judge may then issue a certificate of death. The date of death will be taken as the date on which the person disappeared.

A complementary decree law issued at the same time will permit families to draw pensions or obtain an inheritance on the production of a certificate of presumed death one year after a relative has disappeared. However, if subsequent evidence comes to light proving that the disappeared person is still alive, all such payments would be suspended.

In a cable to the mission of inquiry of the Organization of American States that visited Argentina from 6 September, AI said the new law seemed designed to block all further efforts to investigate the fate of the disappeared or bring to justice those members of the security forces responsible for the abductions.

AI said the new decree was "merely an attempt to give an appearance of legality to fundamental injustices—the widespread and continuing abductions and the measures designed to prevent their detection".

"Moreover", AI said, "no legal guarantees or international instruments have had the power to protect individuals from this most serious method of repression, which puts at risk the right to life, liberty and freedom from torture" □

Prisoner Releases and Cases

The International Secretariat learned in August of the release of 150 prisoners under adoption or investigation and took up 86 new cases.

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.

Khamsing NGONVONARATH, People's Democratic Republic of Laos

A 52-year-old engineer has been detained for four years without charge or trial in a "re-education" camp in northeast Laos.

Khamsing NGONVONARATH, the director of the Department of Electricity in the Laotian Ministry of Public Works until 1975, was sent to a "re-education" camp in Houa Phan (Sam Neua) province on 1 August 1975, after spending several weeks at a "political seminar" at the *Ecole Pedagogique* of Dong Dok, near the capital, Vientiane. Mr Ngonvonarath is one of many civil servants and military officers of the former "Vientiane" administration in Laos who were sent to such camps by the Pather Lao authorities when they took over power from the coalition government that had ruled Laos since 1973.

Mr Ngonvonarath studied in France in the 1950s and started working at the Electricity Factory of Laos in 1958 after returning to his country. He later became Director in the Ministry of Public Works. He is not known to have been involved in politics under the previous administration. It is said that at the time of the change of government in 1975 he chose to remain in Laos "in order to work for his country".

Khamsing Ngonvonarath was last known to be held in camp 05 at Sam Teu in Houa Phan province. He is married with five children.

Please send courteously-worded letters appealing for the immediate release of Khamsing Ngonvonarath to: His Excellency Kaysone Phomvihane, Prime Minister, Vientiane, People's Democratic Republic of Laos.

HU Yi-sheng and TSAI Hsin-tang, Taiwan (Republic of China)

Two men, originally arrested in the early 1950s, are believed to be still held in a prison camp on Green Island

off the southeast coast of Taiwan.

The two men, HU Yi-sheng and TSAI Hsin-tang, both came originally from Chekiang province (mainland China) and it is likely that they came to Taiwan when the Chinese Nationalist Government retreated from China in 1949.

AI does not know the precise charges against them but it is thought that they were accused of "pro-communist activities" and charged under the "Statute for the Punishment of Sedition". After the Nationalist (Kuomintang) Government withdrew to Taiwan in 1949, it carried out massive arrests of anyone suspected of having sympathy with communist ideas, even though the evidence of their communist allegiance was not necessarily very strong.

Prisoners at the Green Island camp are usually serving long terms of imprisonment or life sentences. It is not known when Mr Hu and Mr Tsai are due for release. Releases in Taiwan are conditional on the prisoner having two guarantors to stand for him. Because of the responsibilities involved, this is often a problem, but especially for prisoners who have been held for a long time and who may not have relatives or friends in the country.

Please send courteously-worded letters appealing for the release of Hu Yi-sheng and Tsai Hsin-tang to: His Excellency Chiang Chin-kuo, Office of the President, Chieh Shou Hall, Chungking S. Road, Taipei, Taiwan, Republic of China.

Yusuf Osman SAMANTAR, Somalia

A former parliamentarian and secretary general of the Somali Democratic Union has been a political prisoner in Somalia since 1976.

Yusuf Osman SAMANTAR, aged 47, is in indefinite detention without trial under Somalia's Preventive Detention Act. Under the act, detention orders are signed by the president and no independent or regular system of reviewing such orders exists.

Yusuf Osman Samantar (known in Somalia by his nickname "Barde Ad") is the best known socialist politician detained in Somalia. A political science graduate of the University of Rome, he was prominent in Somali politics of the 1950s and 1960s. He wrote political articles in the Arabic press and had connections with the African and international trade union movement.

Mr Samantar has been detained on at least three previous occasions following the military takeover in 1969 when the constitution was suspended and all political parties banned. The new constitution of the Somali Democratic Republic, accepted by referendum on 25 August 1979, declares Somalia to be a socialist state under the leadership of the only legal political party, the Somali Revolutionary Socialist Party, of which President Siyad Barre is Secretary General. The adoption of the new constitution, however, has not led to the release of the hundreds of political prisoners in Somalia.

Yusuf Osman Samantar is detained in a remote prison near the Kenyan border at Labatan Jirow. Prisoners are held in permanent solitary confinement in small cells and are denied visits from their families. Correspondence is rarely permitted and it is reported that prisoners are not allowed books to read, not even the Koran. They are taken into the fresh air for only a short period each day. Their diet is poor. Prisoners sleep on wooden beds without mattresses. Medical attention is limited to treatment by a medical orderly. Detainees generally suffer from hypertension, eye problems, difficulty in breathing, and the debilitating effects of poor nutrition and lack of physical exercise.

Yusuf Osman Samantar is married and has five children.

Please write courteously-worded letters appealing for the immediate release of Yusuf Osman Samantar to: His Excellency the President of the Somali Democratic Republic, Major General Siyad Barre, Mogadishu, Somalia.

Since its early days the *AI* movement has opposed all forms of cruel, inhuman and degrading treatment inflicted upon prisoners. Several of the earliest *AI* missions were sent to countries where political prisoners faced imminent execution. Today, total opposition to torture and the death penalty has become an increasingly important part of *AI*'s global human rights work. In September *AI* published a 206-page report on the use of the death penalty throughout the world, concentrating on the years 1973 to 1976 but also taking into account major trends up to mid-1979. The following article presents highlights from the report and *AI*'s case against all executions.

Shameful and Senseless

Every execution, whether it takes place on the gallows or in the street, whether it results from a decision taken publicly by a court or clandestinely by conspirators, is an irreversible and totally unacceptable abuse of power. Each killing, whether by the State or by its enemies, is shameful and senseless.

As a means of promoting a political cause or as a means of repressing political opposition, the use of the death penalty is abhorrent. It degrades the entire political process in the community of nations.

As a means of punishing individuals found guilty of serious crimes, the use of the death penalty constitutes an act of irreversible and extreme revenge carried out by the State. Decided upon according to fallible processes of law by fallible human beings, it can be — and actually has been — inflicted upon people innocent of any offence.

As a means of deterring individuals from crime, the use of the death penalty has nowhere been shown to have a special deterrent effect.

As a judicial punishment the death penalty is unequal, and unjust. Historically the principal victims have almost everywhere been the poor and members of minorities and oppressed groups within the population.

The cruelty of the punishment is evident.

The methods by which executions are carried out can involve physical torture. Hanging, electrocution, the gas chamber and the firing squad may not kill instantaneously.

Both hanging and garotting, which are meant to cause death at once by breaking the neck, may instead kill by strangulation.

Electrocution has on occasion caused extensive burns and needed more than one application of electric current to kill the victim.

In many instances executions and killings take place secretly or in countries closed to observers. The full count of victims—especially of those killed for political reasons—is therefore likely to be higher than that presented in the *AI* report.

Mass killings and “disappearances” are alleged in the report to have taken place in Argentina (up to 15,000 reported missing), Equatorial Guinea (an estimated one out of every 500 citizens killed under the Macias Nguema government, most without charge or trial), Ethiopia (up to 30,000 killings reported), Guatemala (up to 20,000 killings reported), Kampuchea (at least 200,000 people reported killed under the Pol Pot government, possibly far more), Uganda (between 50,000 and 300,000 reported killed under the Idi Amin government).

Together with such “extrajudicial” killings, executions carried out after court sentencing are now taking place almost every day in countries around the world.

In those nations where the judicial death penalty is in force for political crimes, the offences for which it may be imposed are frequently defined in such a way that virtually any activity inconsistent with government policy becomes a capital offence.

In a variety of countries large numbers of executions have followed changes of government or acts of political violence during the years covered by the *AI* report.

A wide variety of offences

All African countries now provide for the use of the death penalty, although the frequency with which it is imposed and inflicted varies considerably from country to country. It is used to punish a wide variety of offences. It is commonly imposed for violent offences such as murder or rape but, according to the social and political circumstances prevailing in a particular country, it may be introduced for certain “economic crimes”, such as hoarding grain or consumer goods, embezzlement, fraud, and illegal currency dealings.

One of the most disturbing features of the use of the death penalty in Africa is the frequency with which people charged with political offences are tried and executed after the most summary of judicial hearings. In a number of African countries, particularly those under military regimes, summary executions have followed periods of national crisis. Countries where such executions have taken place include Nigeria, the Sudan and Ethiopia (and, in 1979, Ghana).

Legal provision for the death

penalty exists in every Asian country. In several countries it has been used against political dissenters who have been executed either for explicit political offences or for criminal acts arising from their political beliefs. In several cases known to *AI*, political offenders have been executed in the People's Republic of China immediately after sentencing.

Several Asian countries, including Singapore, Malaysia, Indonesia, Burma, Taiwan, and the Philippines, have passed laws providing the death penalty for a variety of drug offences.

A few countries impose the death penalty for economic offences; these include the People's Republic of China and Indonesia (hoarding).

In each of the countries of Europe (with the possible exception of Albania) which retains the death penalty, it may be passed and carried out only on a person convicted of an offence punishable in law by the death penalty. Several reports from Albania allege that summary executions are still widespread but it is difficult to verify these reports.

In recent years, states such as the USSR, Romania, Bulgaria, Albania, Turkey, and Greece, have passed death sentences for offences not resulting in death—such as theft or acts of political violence. Within the Council of Europe, however, there have been significant trends towards complete abolition of the death penalty.

During the past 10 years the death penalty has been completely abolished in Denmark, Finland, Luxembourg,

Norway, Portugal, Sweden and abolished for peace time offences in Malta, Spain and Switzerland. To AI's knowledge the death penalty has not been re-introduced in any country of **Western Europe** except Belgium where the number of offences punishable by death has been increased. The practice of executions in Western Europe shows a similar downward trend and is now limited to only three countries: France, Greece and Turkey.

Many **Latin American** countries abolished the death penalty in the 19th or early 20th century. Recently, however, there has been a tendency towards re-introduction of the death penalty in times of political upheaval, particularly following a military coup.

Extrajudicial executions

The death penalty in Latin America cannot be seen only in terms of sentences which are judicially imposed. Paramilitary groups, the existence of which are condoned or actively supported by the authorities, as well as units of official security forces, carry out murders of petty criminals and political activists in a number of Latin American countries.

Large numbers of people—many of them active in opposition political groups—are made to "disappear" as a result of illegal arrests and detentions conducted by paramilitary groups or members of security forces acting outside the framework of the law but with apparent consent of the responsible authorities. Such victims are believed to have been either kept for years in secret camps or killed.

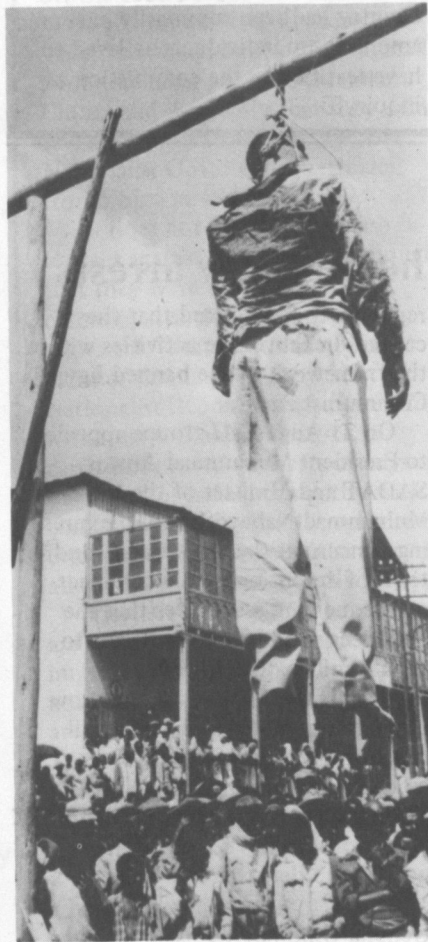
In **North America**, the death penalty for acts of murder, treason and piracy was abolished in Canada in July 1976. However, a number of capital offences remain under the National Defence Act in time of war.

In the United States of America, there is a trend towards re-introduction of the death penalty. Thirty-five of the 50 US states had laws providing for the death penalty as of 1 May 1979. The first involuntary execution in 12 years in the USA took place on 25 May 1979 (July Newsletter).

All countries in the English-speaking Caribbean have a mandatory death sentence for murder. In addition, some have a mandatory death sentence for treason, mutiny or for assisting the enemy.

None of the countries of the **Middle East** has abolished the death penalty. In almost all of them there is legislation providing for the death penalty for certain categories of murder and specific

offences against the internal and external security of the State, such as treason, espionage, plotting to overthrow the government and political acts of sabotage. Executions of people convicted of political offences are known to have taken place in Iran, Iraq, Libya, Syria and South Yemen. By the middle of 1979 more than 160 people had gone before firing squads in Iran following the February revolution.



Cruel, inhuman and degrading: a public hanging. Just over a hundred years ago, public executions in England were abolished largely because of the evidence before a royal commission that indicated that of 167 people who had been under sentence of death in one town over a number of years, 164 had themselves witnessed a public execution.

In some countries in the region, drug smuggling also is a capital offence, while in others, offences are considered to be crimes against the State and are punishable by death.

A "special case" is sometimes made for the retention of the death penalty as a justifiable punishment for and possible deterrent to acts of terrorism

or political violence.

AI is aware of no evidence that the use of the death penalty has deterred would-be terrorists. Psychiatrists who have conducted studies on the question of hijacking recommend strongly that the death penalty not be exacted in such cases precisely because it makes the crime appear more spectacular and draws greater attention to the perpetrators.

AI deplores kidnapping, torture and murder for political motives whether such acts are committed by government or opposition groups. Similarly, AI defends the right of all individuals to stand trial according to internationally-recognized norms and be protected from torture and execution. These human rights standards apply to all people, including those accused or convicted of politically-motivated crimes.

Political violence

The conflicts which have led to the eruption of political violence, now and in the past, have not been and cannot be resolved by the execution of individual prisoners. Nor, as a matter of principle, should the horror of the crimes committed be used to justify a resort to ill-treatment and extreme punishment.

AI believes that humane standards for the treatment of prisoners must be respected by all governments, political movements and citizens throughout the world.

The historical record is clear: the value of human life is progressively lessened once a state, even in attempting to defend itself and its citizens, resorts to cruel, inhuman or degrading methods.

AI rejects the view that the cruel treatment of prisoners, of which the death penalty is an extreme case, can be justified as a fitting response to violent and repugnant crimes. Even less is there justification for the argument that there are special circumstances under which prisoners may be subjected to cruel treatment, including the taking of life, because of their beliefs or their participation in political movements.

It is not only contradictory, but a threat to humane values, for any society to proclaim that the taking of life is the most intolerable of crimes and, at the same time, to countenance any form of execution carried out as an act of retribution in the name of society itself □

Central African Empire Inquiry confirms children slain

A five-member African commission of inquiry has confirmed *AI*'s reports and provided new evidence of the killings that took place in the Central African Empire in April.

The commission's report was clear in its findings: it estimated that about 150 people had been killed by the security forces in January 1979 and concluded that in April 1979 about 100 children had been massacred at the orders of Emperor BOKASSA, who almost certainly participated personally in the killings.

The report also suggests that other senior members of the Central African Empire's security forces personally assaulted and killed prisoners or demonstrators in January and April 1979.

In mid-September, *AI* received reports from opposition sources indicating that 40 people in the country had been summarily executed, among them individuals believed to have testified to the commission of inquiry □

Egypt Prisoners of conscience held in new arrests

More than 60 people have been arrested in a wave of arrests throughout Egypt. They include lawyers, journalists, former members of parliament, some of whom are members of the left-wing National Progressive Unionist Party. Among them are a number of members of *AI*.

After their arrest many were held in solitary confinement in the Citadel Prison in Cairo. On 18 August they were reported to have begun a hunger strike to protest against their arrest and conditions of detention.

The precise charges against the prisoners are not yet known, but the Egyptian Prosecutor General is

reported to have stated that they carried on subversive activities within the framework of the banned Egyptian Communist Party.

On 21 August *AI* groups appealed to President Muhammad Anwar SADAT and Minister of the Interior Muhammad Nabawi ISMAIL expressing concern at the arrests and conditions of detention of the detainees and requesting assurances that the detainees would be given access to their families, to doctors and to lawyers of their choice. *AI* has now urged the immediate release of all those arrested as prisoners of conscience □

Tunisia Protest at workers' trial

Forty-nine people convicted of political offences were sentenced in Tunis on 21 August to terms of imprisonment ranging from one year to 3 years and 10 months. They were also ordered to pay fines of up to 650 Tunisian dinars.

Following the sentencing *AI* appealed to the Tunisian Minister of Justice, Salaheddin BALY, for a thorough judicial review of the verdict and sentences on the grounds that the trial procedure did not conform with the international standards guaranteed by the International Covenant on Civil and Political Rights, which was ratified by the Tunisian government in 1969.

The 49 defendants stood trial on charges of membership of an illegal organization and for distributing clandestine versions of *Ech-Chaab* (The People), the organ of the

General Union of Tunisian Workers. The defendants, who included teachers, workers and students, were arrested in November 1978. Most had been subjected to torture while in police custody before the trial.

During the trial, part of which was attended by an *AI* observer, the defendants refused to make statements and their lawyers withdrew in protest against the conduct of the trial. Although the court sessions were officially "open", relatives of the defendants were barred from the courtroom, as were a number of defendants who had been released on provisional liberty. Outside the courtroom some of the relatives were physically manhandled by the police and 13 of them were reported to have been arrested. Recent reports indicate that the trial will take place in mid-November □

GDR New restrictions on human rights

The German Democratic Republic (GDR) has strengthened the provisions in its penal code under which individuals are imprisoned for exercising their human rights, in particular the right to freedom of expression.

Because freedom of expression within the country is restricted, many citizens, in particular authors and people wishing to emigrate, have in the past sent texts out of the country for publication abroad. Individuals doing this have always run the risk of imprisonment, but the newly-formulated articles 99 ("passing on of information betraying the state") and 219 ("taking up illegal contacts") proscribe the transmitting of information and views outside the country much more explicitly than before.

The information in question does not have to be secret, inaccurate or in any way distorted for its transmission to be a criminal offence. The new legislation makes it a crime to pass on information if it is merely "to the disadvantage of" or "suitable for damaging" the interests of the country.

Previously a crime was committed only if the recipients of such information were held to be engaged in a "struggle" or other activity directed against the country. Now, under article 99, it is a crime punishable by 2 to 12 years' imprisonment to pass on information of this kind to entities defined as "foreign powers" or "foreign organizations" together with their representatives and helpers. Article 219 simply proscribes the spreading of such information "abroad" and carries a prison sentence of up to five years.

The right to freedom of expression within the country is further restricted by a new clause in article 220 ("public degradation") which proscribes the spreading of "written materials, objects or symbols" which "encroach" upon the state and public order, "disturb the socialist way of life" or make the state and public order "contemptible". The article now carries a maximum of three years' imprisonment instead of two years as in the past.

The penalties have also been increased in a number of articles restricting the exercise of other human rights, including the right to freedom of movement. Citizens leaving the country without permission are now liable to eight years' imprisonment instead of five □



amnesty international

campaign for the abolition of torture

Wave of political murder, torture and abduction sweeps Guatemala

More than 2,000 Guatemalan citizens have been killed in the past 16 months at the hands of the country's military and security forces and clandestine "death squads" operating with apparent government complicity.

On 12 September *AI* launched a major international campaign to halt the killings in Guatemala.

The start of the *AI* campaign coincided with the 141st anniversary of Guatemala's independence on 15 September.

The violence escalated in May 1978 with a massacre of 100 Kekchi Indians, including 25 women and children, at the town of Panzós, in Northern Guatemala. The Kekchis had come to the town to meet with local authorities to discuss their claims to land they had farmed for several generations. Local residents later said that mass graves had been prepared for the Indians two days before they arrived at the town.

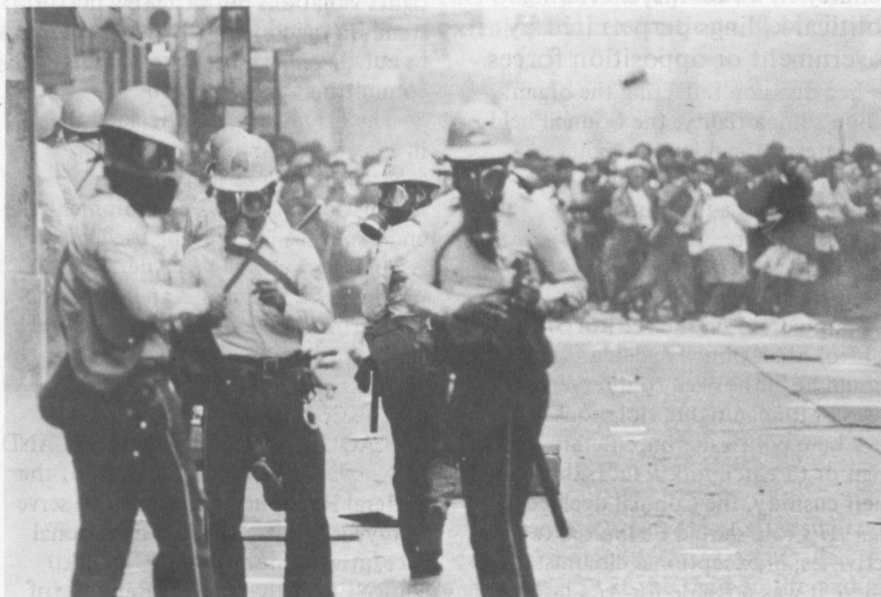
According to the country's National Police, the bodies of more than 1,000 victims were found in the first four months of 1979. Most have been buried unidentified, registered simply as "XX". On some days as many as 17 unidentified bodies have been found.

Those victims that have been identified include well known opposition politicians, trade union and student leaders, journalists, priests and lawyers, and members of Guatemala's indigenous Indian population. The names of many of these victims have first appeared on lists issued by "death squads" before the assassinations.

The "death squads"—vigilante groups that include off-duty security personnel—were originally formed in the early 1960s to combat guerrillas. After the guerrillas were crushed in the late 1960s, the "death squads" continued to operate, abducting and assassinating opposition leaders and their sympathizers. Some "death squads" also kill off petty criminals, others carry out kidnappings for ransom.

Bodies are often found at a great distance from the place of abduction and have frequently been mutilated—often by gunshots in the face or by cutting off the hands—to make identification impossible. Of more than 500 bodies reported to have been found in the second half of 1978, nearly 200 bore marks of torture.

In one instance where identification



Police and security forces break up a demonstration in August 1978 using teargas and clubs and causing numerous injuries. The mayor of the capital, Colonel Abundio Maldonado, publicly expressed regret that the majority of casualties were between 14 and 17 years of age. Thirty-one people were hospitalized. The Red Cross treated more than 200 people for injuries. The demonstration was in protest against the massacre of more than a hundred Kekchi Indians in the town of Panzós.

of the dead has been possible, the decomposing corpses of a man and a woman were found buried up to their necks in a river bank nearly 50 kilometers from Guatemala City from where they were kidnapped on 13 February 1979 by a group of heavily armed men. The bodies bore signs of torture and multiple stab wounds.

In other cases where prominent political figures or trade union leaders have been kidnapped, there has been no information as to their whereabouts and no means of identifying them among the disfigured remains of bodies brought into the country's mortuaries.

Secret cemeteries and mass graves have been discovered during 1978 and 1979, adding further substance to an earlier estimate published in *AI's* 1976 *Guatemala Briefing Paper* suggesting that those who have died at the hands of Guatemala's army, security forces

and "death squads" between 1966 and 1976 could number as high as 20,000.

In August this year an *AI* mission visited Guatemala to investigate violations of human rights in the country. The mission met with representatives of the government and with trade union and political organizations. The mission consisted of Dan GALLIN, General Secretary of the International Union of Food and Allied Workers' Associations, Fernando ALVAREZ de Miranda, deputy and former president of the Spanish Cortes, and Tracy ULLTVEIT-MOE, a researcher at *AI's* International Secretariat. The report of the mission will be published in the coming months.

Please send courteously-worded appeals urging the Guatemalan authorities to halt the killings. Write to:
 Presidente Romeo Lucas Garcia,
 Presidente de la República, Palacio Nacional, Guatemala City, Guatemala.

International Council meets AI to oppose all political killings

The 12th International Council of *AI*, meeting in Leuven, Belgium, from 6 to 9 September, adopted a series of decisions aimed at clarifying the precise mandate of the organization in its worldwide efforts to oppose political imprisonment, torture and executions.

The Council was attended by over 200 delegates and observers from 44 countries, representing *AI*'s membership of more than 200,000 volunteers and supporters. Observers from 22 international organizations also participated in the meeting.

The Council reaffirmed its total opposition to the death penalty in all forms, including political killings perpetrated by government or opposition forces.

In a decision reflecting the organization's impartiality, the Council held that international human rights standards applied equally to governments and "non-governmental entities". Where bodies such as national liberation movements exercise an exclusive and effective authority over the population, in the territory they control, the Council decided that *AI* should be authorized to intervene in cases of human rights violations.

Where political groups detain, maltreat or threaten to kill individuals in their custody, the Council decided that *AI*'s role should be limited to activities, in exceptional circumstances where it was possible for *AI*'s influence to alleviate suffering. Such activities would be based on humanitarian grounds. *AI* would not play the role of a mediator.

The Council received the report of a six-member Mandate Committee set up last year to review controversial aspects of the organization's statute.

On the recommendation of the Mandate Committee, the Council defined a "prisoner of conscience" as anyone "imprisoned, detained or otherwise physically restricted by reason of their political, religious or other conscientiously-held beliefs or by reason of their ethnic origin, sex, colour or language, provided they have not used or advocated violence".

On the question of what attitude the organization should take with regard to individuals imprisoned for their homosexuality, the Council decided that anyone imprisoned for advocating homosexual equality could be considered as a prisoner of conscience. In cases where homosexuality could reasonably be assumed to be a pretext for imprisoning individuals for their beliefs, *AI* could adopt them as prisoners of conscience.

The Council reaffirmed its policy of reporting information on human rights violations but of taking no stand on sanctions such as boycotts or cuts in aid against governments committing such violations.

The Council further decided that in cases where military, police or security assistance involved the international transfer of equipment and expertise likely to be used by recipient governments to detain prisoners of conscience and to carry out torture and executions, *AI* could seek legislative changes to prohibit such assistance.

The Council elected José ZALAQUETT of Chile, Jan EGELAND of Norway and Michael KLEIN of the Federal Republic of Germany to serve two-year terms on *AI*'s International Executive Committee (IEC). Dirk BORNER of the Federal Republic of Germany was elected treasurer.

National sections in Ecuador and Ivory Coast were welcomed to the Council for the first time.

Subsequent to the Council meeting, the IEC elected José Zalaquett as chairperson. Mr Zalaquett, a civil rights lawyer now living in the United States of America, was active in defending political prisoners in Chile after the coup in 1973 until he was expelled from the country in 1976. He replaces the outgoing chairperson, Thomas HAMMARBERG of Sweden. Suriya WICKREMASINGHE and Andrew BLANE were elected as vice-chairpersons.

AI's international budget for 1980/81 was set at approximately £2 million, an increase of 30 per cent over 1979/80. All *AI* funds are contributed by the fundraising programs and donations of the organization's membership.

The fifth and final Sean MacBride Lecture on Human Rights on 6 September was given by Sean MACBRIDE himself. The opening address was delivered by Belgian Minister of Foreign Affairs, Henri SIMONET. Mr MacBride, a founder

of *AI* and winner of the 1974 Nobel Peace Prize, called on the United Nations to appoint a Commissioner for the Prevention of Genocide and Torture. He said that there had been several large scale violations of human rights in recent years and "massive massacres amounting to genocide" in Indonesia, Chile, Kampuchea, East Timor, Uganda, Argentina, South Africa, the Central African Empire and Equatorial Guinea. He proposed the establishment of a United Nations Commissioner with the power to intervene when massacres occurred.

Mr MacBride said the Commissioner's authority should be limited to major violations of human rights. "Great care would have to be exercised to ensure that this proposal was not presented or regarded as a form of political instrument in the existing cold war tensions," he said □

Prisoners of Conscience Week 1979

This year Prisoners of Conscience Week will take place from 14-21 October. The theme, "Children", coincides with the observance of International Year of the Child.

AI will publish details of children and young people who have become victims of political persecution—either directly or as a result of suffering inflicted upon their parents by political intolerance or racial and religious hatred.

AMNESTY INTERNATIONAL PUBLICATIONS, 10 Southampton Street, London WC2E 7HF, England. Printed in Great Britain by Hill and Garwood Ltd., Fourth Way, Wembley, Middlesex. Available on subscription at £6 (US \$15) per calendar year.