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TURKEY Prisoners die in Diyarbakir

AI has called on the head of the Turkish armed forces to account publicly for seven prisoners reported to have died in a military prison in eastern Turkey in January.

In an urgent message on 13 February to the Turkish Chief of General Staff, General Necdet Urug, *AI* expressed concern about reports of the resumption of torture and ill-treatment of inmates of Diyarbakir Military Prison.

It named seven prisoners reported to have died in the prison this year. Four were known to have been buried. In three other cases, *AI* learned that the families had been informed of their relatives' deaths but that the bodies were not available for burial.

AI said that all the families concerned should be given the bodies of their dead relatives and allowed to arrange independent medical examinations to establish the cause of death.

The organization's call followed a visit by an *AI* delegate to Diyarbakir from 27 to 31 January to seek information about three prisoners reported to have died in unexplained circumstances.

The military authorities in Diyarbakir acknowledged the deaths of two prisoners, Necmettin Buyukkaya and Yilmaz Demir. They told the delegate that one of the prisoners had committed suicide and the other had died of a brain tumour. No form of inquest proceedings are known to have taken place.

After the delegate's visit *AI* received information on the deaths of four more prisoners.

These seven reported deaths came after inmates of the military prison had begun their second hunger-strike within six months. This one is reported to be in protest against the alleged resumption of torture in the prison and the withdrawal of concessions granted during a previous hunger-strike in September 1983.

AI has received frequent complaints of torture of inmates at Diyarbakir in



Two of a number of Kurdish prisoners who are reported to have been tortured in Diyarbakir this year—Mumtaz Kotan (left) seen at his trial in 1981, and Mehdi Zana, aged 45, former Mayor of Diyarbakir, whose trial ended in October 1983.

Mumtaz Kotan, a 41-year-old lawyer who has been adopted by *AI* as a prisoner of conscience, has been imprisoned since April 1980. He is said to have been tortured during his interrogation then. He was sentenced in July 1982 to eight years' jail for belonging to a Kurdish organization and for alleged secessionist activities. The substantial Kurdish minority in Turkey is not officially recognized by the authorities and the Kurdish language is prohibited.

AI has received a number of reports that Mumtaz Kotan has been tortured repeatedly throughout his imprisonment. In August 1983 his health was said to be critical. He is married with one child.

Mehdi Zana is serving a 24-year prison term, reportedly in connection with alleged Kurdish secessionist activities. He is married with two children and has been adopted by *AI* as a prisoner of conscience.

He was detained immediately after the September 1980 coup and he too is reported to have been tortured repeatedly throughout his imprisonment.

He and Mumtaz Kotan are among a group of Diyarbakir inmates who, at the time of going to press, were reported not to have been seen by relatives for some weeks.

recent years and has repeatedly urged the authorities to investigate the allegations and take all necessary steps to halt the torture.

In May 1982 it asked to be allowed to send a team to check on reports that nearly 100 Kurdish prisoners were in poor health as a result of torture and harsh conditions.

One of the people it named at the time, Kurdish lawyer Huseyin Yildirim, was

later released and left Turkey—he gave a horrific account of tortures he said he and other Kurdish prisoners had suffered, including being beaten and given electric shocks on sensitive parts of the body while tied to a wooden cross (see April 1983 *Newsletter*). Three of these prisoners are known to have died in custody. The authorities acknowledged one of the deaths: they said the prisoner had committed suicide□

Human rights violations in Paraguay

AI has launched a new effort to stop the imprisonment and torture of Paraguayans for trying to exercise their basic political rights.

A new *AI* briefing on Paraguay, published on 22 February, documents the killing, arbitrary imprisonment and torture of citizens from all walks of life under an emergency decree—the “state of siege”—in force since President Alfredo Stroessner seized power 30 years ago.

Publication marked the start of a drive by members of the movement to press the Paraguayan authorities to stop the abuses and account for scores of political prison-

ers who have “disappeared” while in custody.

Paraguay: an Amnesty International briefing describes the cases of pregnant women, children and old people reported to have been seized in government efforts to suppress criticism.

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India

Secessionist executed after kidnappers demand release

A Kashmiri secessionist leader whose petition for mercy had been pending for some seven years was hanged in New Delhi's maximum security Tihar Jail on 11 February 1984.

The execution of **Maqbool Ahmed Butt** came a week after a demand for his release had been made by an extremist Kashmiri group which had kidnapped an Indian diplomat in England, whom it subsequently killed.

In an appeal for his life to be spared sent to the Indian Prime Minister, Indira Gandhi, on 9 February, *AI* said it believed that "the swift rejection at this time of his clemency petition pending for seven years with the President [of India] could raise questions as to why a decision for his execution was taken so shortly after the tragic killing of an Indian diplomat in Birmingham . . .".

Maqbool Butt, a former journalist, was President of the Jammu and Kashmir National Liberation Front, one of a number of organizations pressing for the right to self-determination of the Himalayan state of Jammu and Kashmir. The state was split between India and Pakistan at the 1947 partition of the Indian sub-continent.

Convicted of murder

In 1968 Maqbool Butt was convicted of the murder of an Indian intelligence officer. The conviction was under provisions of the Indian Penal Code and Section 3 of the 1948 Enemy Agents Ordinance—the latter does not permit an appeal as normally provided for in Indian criminal law, although there is some provision for review.

He escaped from custody in 1968 to the Pakistan side of the state. In 1976 he was recaptured by the Indian authorities after an attempted bank robbery.

In 1977 a petition by him to the Indian Supreme Court for leave to make a

special appeal was rejected on the technical ground that the petition had come outside the time limit set by law.

He then petitioned the Indian President for mercy. This petition remained pending until it was rejected by President Zail Singh on 8 or 9 February 1984; 11 February was set as the date of execution.

The President's rejection came within 36 hours of the murder of the Indian diplomat, Ravindra Hareshwar Mhatre, in England on 6 February. He had been kidnapped two days earlier by a group calling itself the Kashmir Liberation Army. It had demanded a £1,000,000 ransom and the release of Maqbool Butt.

On 10 February the Indian Supreme Court rejected a last-minute petition for mercy.

Maqbool Butt was hanged at dawn the next day.

Urgent appeal

On 9 February *AI* had sent an urgent appeal to President Zail Singh asking him to reconsider his decision to reject Maqbool Singh's pending petition for mercy.

It said it was particularly concerned because Maqbool Butt had been sentenced under Section 3 of the Enemy Agents Ordinance, which did not permit an appeal as normally provided for in Indian criminal law.

AI noted that it had appealed on Maqbool Butt's behalf ever since his petition to the Supreme Court had been rejected in 1977.

It drew the President's attention to Articles 6 and 14 of the International Covenant on Civil and Political Rights which state that: "No one shall be arbitrarily deprived of his life"; and "Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law" □

Sudan

Health fears for inmates of Kober prison

There are fears for the welfare of nine political prisoners in Kober prison, Khartoum. They are reported to be in poor health and *AI* is concerned because facilities in the prison may be inadequate for the care they need.

Many of Sudan's political prisoners are held in Kober and, although prisoners are not said to be ill-treated and many are allowed family visits, conditions there are reported to be poor. Prisoners have protested about them a number of times, most recently by means of a hunger-strike in October 1983.

Sick prisoners have access to prison nursing staff, but not to a doctor. The decision to bring in a qualified doctor from outside the prison to examine a sick prisoner, or to transfer a sick prisoner to a nearby hospital, is at the discretion of the security authorities.

It is reported that there is often considerable delay in transferring seriously ill prisoners from prison to hospital for treatment.

Deaths in custody

At least six political prisoners are alleged to have died in custody since 1971, principally because the authorities failed to provide adequate medical attention and treatment.

The nine prisoners whose health is causing concern now have been imprisoned on various occasions during the past three and a half years. Seven have been held without charge or trial since their arrest under the State Security Law. The two others have been charged and tried by State Security Courts—their sentences have now expired but both are still detained.

The nine prisoners are: **Youssef Hussein, Mohamed Babiker Muhktar, Mukhtar Abdullah Ahmed, Mohamed Kheir Mohamed Ali, Mohamed Sayeed Ahmed Attig, Osman Widdaa Allah, Idris Akasha, Haider Mohamed el-Hassan and Youssef Issa Burra.**

AI has called on the government to charge these prisoners and give them a fair trial or release them without further delay, and to ensure that adequate and appropriate medical treatment is made available to each of them immediately □

Paraguay

Continued from page 1

It names a police annex known as the "laboratory" in the capital, Asunción. In night torture sessions there, according to consistent reports received by *AI*, political suspects have been beaten, whipped, given electric shocks with cattle prods, and had their heads held under water polluted with excrement; they have also allegedly been hung by the ankles and confined for long periods in cramped boxes.

The United Nations Commission on Human Rights, meeting in Geneva, has

before it a recommendation adopted by the UN Sub-commission on the Prevention of Discrimination and Protection of Minorities on 6 September 1983, which calls on the Government of Paraguay to end the state of siege.

(An article based on the *AI* briefing begins on page 4.)

Prisoner Releases and Cases

The International Secretariat learned in January of the release of 119 prisoners under adoption or investigation; it took up 49 cases.

DEATH PENALTY

AI has learned of 28 people being sentenced to death in 11 countries and of 84 executions in eight countries during January 1984.

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.

HOANG CAM, Viet Nam

A 63-year-old poet, former resistance fighter and Communist Party member, he has been detained since August 1982 for having "cultural links with foreigners".

Hoang Cam became prominent as a nationalist poet during the Japanese occupation of Viet Nam in the Second World War. In 1946 he joined the Viet-minh to fight against the French colonial authorities.

After the French defeat and the 1954 partition of Viet Nam, he and other writers in the Democratic Republic of (North) Viet Nam (DRV) called for artistic freedom and supported the cultural liberalization program launched by the ruling party in 1956.

A leading figure in the movement, he wrote against what he and others saw as abuse of power and corruption in the party and governmental hierarchy. In particular, he criticized excessive measures used in the North Vietnamese land reform.

In 1958 the DRV Government suppressed all independent publications and imprisoned a number of prominent intellectuals (AI later adopted two who were sentenced to long prison terms). Hoang Cam and other intellectuals were forbidden to write and the poet has since run a cafe in Hanoi.

In August 1982 he reportedly asked a Vietnamese émigré on a visit to Hanoi to take a collection of unpublished poems to his daughter in the USA. The émigré was searched at Hanoi airport and the poems confiscated. Some days later Hoang Cam was arrested and charged with having "cultural links with foreigners".

He is reported to be held in Hoa Lo jail, Hanoi, because of his "notoriously subversive political writings"—Vietnamese officials have indicated that he will be freed if he "reforms".

He is understood to suffer from severe hypertension and chronic asthma.

AI considers that he has been detained for exercising his right to freedom of expression.

Please send courteous letters appealing for his release to: Ngai Pham van Dong/ Prime Minister/Chu tịch Hội đồng Bộ trưởng/Hanoi/Socialist Republic of Viet Nam.

Süleyman YASAR, Turkey

A primary school teacher, aged 37, he is serving an eight-year prison sentence for his membership of and non-violent activities in TOB-DER, the Turkish teachers' association.

Süleyman Yasar, a former Vice President of TOB-DER and member of its General Council, was arrested on 25 November 1980. Many of the association's officials and members were detained after the military coup of 12 September 1980. They were held incommunicado for up to 90 days and those who were later tried told the court that they had been tortured in order to make them sign "confessions".

TOB-DER was founded as a legal organization in 1971. It was closed down after the military coup of September 1980 and then banned permanently.

On 15 April 1981 the military prosecutor opened a case in Ankara Martial Law Court No. 3 against 58 TOB-DER leaders under Articles 141 and 142 of the Turkish Penal Code. Although it had been a legal organization, the defendants were accused of having turned it into an illegal one by their activities. They were charged with, among other things, having—from 1976 onwards—founded and led an association aiming to establish the domination of one social class over other social classes; having made propaganda for separatism and communism; and having breached Turkey's laws on associations.

The charge of making propaganda for separatism refers to TOB-DER's recognition of the Kurds as a separate ethnic group and of their right to receive education in Kurdish. The large Kurdish minority in Turkey is not officially recognized and the use of the Kurdish language is prohibited.

Sentences were passed on 25 December 1981. After appeals by both defence and the prosecution, the Appeal Court referred more than half the cases back to the court of first instance. The other convictions and sentences were confirmed, including Süleyman Yasar's. He had been sentenced to eight years' imprisonment, to be followed by two years eight months' internal exile to Giresun, and was barred for life from teaching or any other public office. He is in Canakkale E Type Prison.

Please send courteous letters appealing for his release and that of his imprisoned

TOB-DER colleagues to: Prime Minister Turgut Ozal / Basbakanlik / Ankara / Turkey.

Mohamed Yehdih Ould BREIDELLEYL, Mauritania

A former government minister, aged 40, he was sentenced after an unfair trial in October 1983 to 12 years' imprisonment with hard labour.

Mohamed Yehdih Ould Breidelleyl was among some 150 suspected members or sympathizers of a pro-Iraq Ba'ath party in Mauritania who were arrested in August 1981 or March 1982. Although many were released shortly after arrest, almost half were detained without trial for over a year before being freed.

All political activity has been banned in Mauritania since the armed forces took power in July 1978.

On 1 October 1983 Mohamed Ould Breidelleyl and 10 of those arrested for alleged membership of the party were sentenced to terms of imprisonment with hard labour of between 10 and 12 years and had their property confiscated. Ten others were released after being acquitted or being given suspended prison sentences.

All the defendants had been charged with complicity with a foreign power and membership of a banned organization.

The defendants were tried in camera by a military court, the *Cour Spéciale de Justice*, Special Court of Justice, which sat in a remote desert barracks at Jereida.

They were denied their rights to an adequate defence: they were not allowed to communicate with their legal counsel, who were assigned to them only days before the trial despite their long period in pre-trial custody, and they were not permitted to call witnesses in their own defence.

The prisoners are believed to have been dispersed to undisclosed places throughout the country. Mohamed Ould Breidelleyl is believed to be confined in either Tichitt or Oualata, both remote towns in the desert.

Please send courteous letters, in French if possible, appealing for his release and that of his 10 imprisoned co-defendants to: Son Excellence le Lieutenant-Colonel Mohammed Khouna Ould Haidalla / Président de la République / La Présidence / Nouakchott / Mauritania.

If you prefer, you may send your appeals to the embassies of these governments in your country

AI is concerned about a wide range of human rights violations in Paraguay perpetrated against people from many different backgrounds, including political leaders and workers, lawyers, doctors, peasants, housewives, office and factory workers, and students. The abuses have included arbitrary arrest, torture, "disappearance" and forcible expulsion of detainees from the country.

Many such violations have resulted from the abuse of powers provided under the state of siege, which has been in force almost continuously since 1929—and which for nearly 30 years now has been renewed by decree every 90 days as a matter of routine by the government of President Alfredo Stroessner.

People detained under the state of siege are denied the right to fair trial and due process of law, and have no recourse against being detained indefinitely or for unreasonably long periods.

AI is concerned also about the effects of two anti-subversive laws which have been increasingly used to arrest and detain people who have been peacefully exercising their human rights.

At the time of going to press Paraguayan jails held more than 30 political prisoners, many of them regarded by AI as prisoners of conscience.

Human rights violations in Paraguay

"I myself was abducted in the street on 16 February of that year [1982] by four policemen in civilian clothes who gagged, hooded and handcuffed me and took me to the *Departamento de Investigaciones* . . . Without knowing the reasons for my treatment I was taken directly to the head of the department, who . . . said, 'Do to her what you want. Tear her apart.'"

This is part of the testimony of a 35-year-old Paraguayan hairdresser, María Margarita Báez de Brítez, who claims to have been tortured by security agents in Asunción in 1982.

She had been arrested during a series of raids on alleged members of a "Chinese" wing of the outlawed Paraguayan Communist Party. She and another detainee were held in secret centres for over four months.

After reports had emerged that she was being tortured, her lawyer applied to court for her to be medically examined. The application was denied and the lawyer is reported to have been subsequently summoned to the office of the Chief of Police in Asunción and physically attacked and threatened with expulsion from the country if he persisted in his requests.

María Margarita Báez is one of a number of Paraguayans adopted by AI as prisoners of conscience who have alleged torture or ill-treatment while in detention.

AI continues to receive reports about the torture both of political prisoners and common criminal suspects. Political arrests are often not acknowledged for several months, which puts prisoners at particular risk of human rights violations.

Allegations of torture are usually denied by the Paraguayan authorities and are rarely the subject of legal action.

The principal centres for torture in Paraguay, according to allegations received by AI, have been the headquarters of the plainclothes police, the *Departamento de Investigaciones de la Policía* (DIPC) and its *Dirección de Vigilancia y Delitos*, Vigilance and Crime



The photograph shows three women prisoners who claim they were ill-treated or tortured by the Paraguayan security forces. They are, from left to right: Irene Giménez and her son Adrián; Cristina González and María Margarita Báez de Brítez. The fourth woman, Leonidas Bogado (Cristina González' mother) died soon after being transferred from prison to a cancer clinic—AI believes that the Paraguayan authorities failed to provide her with the medical attention and treatment necessitated by her illness.

María Margarita Báez de Brítez is the widow of Gumersindo Brítez, one of 10 peasants who police allege were killed in a shoot-out in Caaguazú after a bus hijack in March 1980 (see the end of the article, under 'Disappearances').

She has alleged that she was tortured at the headquarters of the plainclothes police in Asunción. According to her testimony: Her hands were handcuffed behind her back and she was tied to the grill of a barred window and left hanging for six days without food or water. Once a day they took her down and tortured her in other ways: beatings, burning with a brazier and injection of a drug. Afterwards she was held in a room for 42 days, being tied to a chair each night.

She says that as a result of her treatment she has had visual and aural hallucinations, severe headaches, pains in the spine, tachycardia and high blood pressure.

She is now in the *Buen Pastor* women's prison in Asunción.

Division, and the *División Técnica de Represión del Comunismo*, Technical Division for the Repression of Communism, all of which are in Asunción.

According to AI's information, torture sessions have usually taken place at night in an annex to the DIPC known as the "laboratory".

The methods of torture most com-

monly alleged to have been used are: *picana eléctrica* (electric prod); *pileta*, where the victim's head is plunged into a tank or tub of water—which is sometimes polluted with excrement—to the point of asphyxiation; and beatings with truncheons particularly on the soles of the feet.

Although victims were usually forced to sign false confessions, the main pur-

pose of torture was apparently to discourage any opposition to the government.

During the past three years *AI* intervened on behalf of over 400 students, peasants, journalists, lawyers and teachers, fearing that they might be subjected to torture after having been arrested.

Most at risk were those suspected of being members of the Paraguayan Communist Party or other left-wing or Marxist groups, which are banned in Paraguay, and members of the peasant organization *Ligas Agrarias* (one of its main concerns is land reform) or peasants suspected of being connected with it. The worst treatment was apparently received by those regarded by the authorities as leaders of such groups.

In May 1983 following arrests of members of the non-profit-making research institution, the *Banco Paraguayo de Datos* (BPD) in Asunción, *AI* received reports that three people whom it had adopted as prisoners of conscience, **Enrique Goossen, Roberto Villalba and Ruben Lisboa**, had been tortured while in incommunicado detention.

All three had allegedly been severely beaten and two had been subjected to the *pileta* torture. Roberto Villalba was reported to have suffered a heart attack during interrogation. All three have been released.

Most political prisoners have been arrested and detained under provisions of the state of emergency or two anti-subversive laws, Laws 294 and 209. Most of these people were acted against for peacefully exercising their human rights.

State of siege

Under Paraguayan law the state of siege is an exceptional measure to be invoked for a limited period in four specifically defined cases only and for the sole purpose of defending the Constitution and the authorities established in accordance with it.

In fact, however, a state of siege has been renewed by decree every 90 days as a matter of routine since the coup of 1954.

Under Article 79, Chapter V of the Paraguayan Constitution, a state of siege may be declared in the following cases only: 1) international conflict or war; 2) foreign invasion; 3) domestic disturbances and 4) serious threat of one of the foregoing.

While the state of siege is in force, individuals suspected of participating in any of the activities outlined above may be detained and transferred from one part of the country to another. Those detained under the state of siege are supposed to be housed in clean and sanitary quarters not used for common criminals.

Under the special powers granted by the state of siege, executive actions are not subject to supervision by other branches of the government.

Furthermore, although Article 79 makes no reference to the suppression of *habeas corpus* during the state of siege, the judicial authorities have held that they have no jurisdiction in cases of people detained under the special powers

provided for by the state of siege, and the Supreme Court has routinely rejected *habeas corpus* applications.

There is thus no recourse against indefinite or unreasonably long periods of detention, and people detained during the state of siege are denied the right to a fair trial and due process of law.

Under these circumstances, articles of the Constitution dealing with human rights, and those laws in which such rights are recognized and the means to guarantee them established, have become dead letters.

Anti-subversive laws

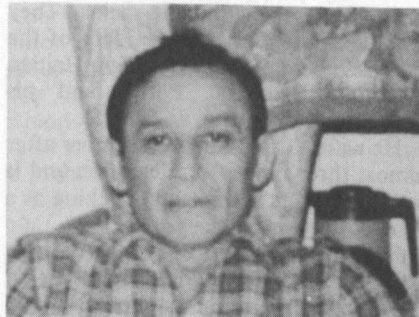
Law 294, on "Defence of Democracy", which was passed in 1955, prohibits the activity of any political group, in particular the Communist Party, which embraces the notion of class struggle. It makes the mere dissemination of Marxist ideology a criminal offence.

Law 209, on "Defence of Public Peace and Liberty of Persons", was enacted in 1970 to complement Law 294. Article 4 of Law 209 provides for up to six years' imprisonment for people who "publicly preach hatred among Paraguayans or the destruction of social classes". Article 5 provides for between three and six years' imprisonment for members of an illegal association whose purpose is to commit criminal offences; Article 8 provides for between one and five years' imprisonment for individuals associated or affiliated with any communist party or organization, whose purpose is to use violence to destroy the "republican democratic system of the nation".

Law 209 prohibits a large number of activities—such as leasing premises for the purpose of holding meetings, and introducing, printing, storing, distributing or selling pamphlets, publications or films—if the authorities deem these activities to have a Marxist inspiration.

The Ovando case

The abuse of state of siege powers to justify lengthy arbitrary detention is illustrated by the case of **Guillermo Escolástico Ovando**, a former army



Guillermo Escolástico Ovando

sergeant who has been imprisoned for over 21 years. Sergeant Ovando was a driver for an alleged one-time rival of General Stroessner, Captain Modesto Napoleón Ortigoza. The pair were among a group arrested in 1962 and accused of responsibility for the death of a military cadet and involvement in a conspiracy to

overthrow the President.

They were convicted on the basis of statements said to have been extracted from one of the defendants by torture. The defence lawyer was publicly threatened by the Chief of Police and was later imprisoned, beaten and expelled from the country.

Sergeant Ovando, reported to have been tortured after his arrest, received a death sentence, later commuted to 15 years' imprisonment. He completed the term in 1977, but is still being held under provisions of the state of siege. Captain Ortigoza is also still in prison.

'Disappearances'

Since the mid-1970s *AI* has received reports of the "disappearances" of 45 people after arrest by government law enforcement officials. Many of the victims were active opponents of the government.



Carlos Mancuello and his Argentine-born wife, Gladys Ester Rios, on their wedding day. In November 1974 they were arrested in Asunción. Their son, Carlos José, was born in captivity the following year. Gladys de Mancuello was freed in late 1977—but Carlos Mancuello has "disappeared" in custody.

In some instances former prisoners have reported that the "disappeared" died under torture or were the victims of extrajudicial execution while in custody.

Among them were 10 peasants killed by the army in 1980 in Caaguazú Department. They were among a group who took over a bus and tried to go to the capital to protest against threatened eviction from their land. The authorities have never provided documentary evidence of their deaths nor have they returned the bodies to the families for burial.

Another man arrested in connection with the Caaguazú incident, **Marcelino Casco**, who was over 70, died in a prison hospital after reportedly having been forced to stand in the sun for several hours, beaten and forced to run up and down stairs repeatedly.

AI also has the names of some 50 Paraguayans who "disappeared" in Argentina. In a number of cases there was evidence that the victims were handed over by the former Argentine authorities to Paraguayan security forces □

Haiti

Former detainees tell of ill-treatment in barracks

A 70-year-old former Haitian detainee has told *AI* he was held virtually naked in a dank, mosquito-infested cell during more than two months' solitary confinement in a military barracks in Port-au-Prince last year.

He was released uncharged on 19 November. His incommunicado detention was reportedly not acknowledged by the authorities.

The account by **Frank Blaise**, a widely-travelled former teacher and agronomist, is one of several consistent reports given to *AI* recently about detention in the Casernes Dessalines military barracks.

Frank Blaise, who had been living in the USA, returned to Haiti in June 1983 to sort out personal affairs. He said he was arrested without warrant in Petit Goâve on 25 August and driven to Port-au-Prince, the capital. His account of events was as follows:

He was taken to the Casernes Dessalines without any explanation, questioned briefly about his travels in Africa and then made to sit on a bench for about four hours.

After that he was ordered to strip down to his underpants and was then locked in a small cell with a cement floor. It was very damp and dirty and full of mosquitoes. The only air vent was an iron grill above the door, which was also the only source of light. The only furniture was a mattress and a bucket used as a toilet.

He was locked in the cell for 77 days, being allowed out only once a day to wash, at about five in the morning.

Communication between prisoners in the same section, each held in individual cells in similar conditions, was forbidden.

Frank Blaise said the conditions were "excessively hard", particularly in view of his age.

He said he was never brought before a judge or given any reason for his detention—although he believes it might have been related to a book by him comparing agricultural policies under different Haitian presidents.

After his release he returned to the USA, where he was interviewed by *AI*.

Film-maker detained

Another former detainee, **Yves Médard**, an independent Haitian film-maker known under his professional name, Rassoul Labuchin, told *AI* he had spent 33 days in incommunicado detention in the barracks after his arrest on 29 August 1983.

According to his account, he was taken to the same part of the Casernes Dessalines as Frank Blaise had been and was also held in solitary confinement after having to strip to his underpants.



Frank Blaise

At the end of his confinement, he said, he was accused of having "political ambitions" and described as "undesirable"—but was given no specific reason for his arrest and not taken before a judge.

He was handed over to French Embassy officials on 1 October and left for France with his family.

Both these accounts are consistent with others received by *AI* about conditions in the Casernes Dessalines.

The organization knows of several political suspects who are still being held incommunicado there without charge since their arrest in early 1983.

Reports of beatings

Throughout the year *AI* received reports of a number of detainees having been badly beaten in the barracks. They include **Sylvio Claude**, President of the *Parti démocrate chrétien haïtien*, Haitian Christian Democrat Party, and his daughter **Marie-Jocelyne Claude**.

He was released on 24 December after almost three months in detention and is now said to have difficulty walking as a result of beatings.

His daughter, who was held for three days in September 1983, claimed that she had been beaten on her ears and thighs and on other parts of her body.

Sylvio Claude's secretary, **Nicole Dagobert**, was released on 24 December after being held in unacknowledged detention in the Casernes Dessalines since her arrest in May 1983. She is reported to have been held almost naked in solitary confinement in conditions similar to those described by Frank Blaise and Yves Médard.

Syria

Grave fears for lawyer after reports of torture

The life of a 56-year-old Syrian lawyer was understood to be in grave danger in January this year after reports emerged that he had again been tortured by members of the Syrian security forces in Damascus.

Riad al-Turk, adopted by *AI* as a prisoner of conscience, has been held in incommunicado detention without charge or trial since his arrest in October 1980 and has twice been admitted to hospital for urgent treatment.

He is First Secretary of the Communist Party Political Bureau (CPPB), a prohibited wing of the Communist Party in Syria.

Leading CPPB members were arrested in October 1980 after attempts had been made to form an internal opposition coalition in Syria.

Among those arrested was **Asmah al-Feisal**, Riad al-Turk's wife, who was held hostage while the authorities searched for him. (The couple have two children.)

Riad al-Turk was arrested in Damascus on 28 October 1980 by agents of *al-Amn al-Siyassi* (Political Security). He is reported to have been severely tortured after arrest.

In February 1981 he was admitted to the intensive care unit at al-Muwassa'a Hospital in Damascus for urgent treatment.

In January 1982 he was admitted for intensive care to al-Mezze military prison hospital in Damascus, reportedly suffering from inflammation of the kidneys and renal failure.

In January 1984 *AI* received reports that he had been taken from al-Mezze Prison to military intelligence headquarters and tortured in mid-December 1983.

His health is reported to have deteriorated seriously and there were grave fears for his life.

Urgent Actions

During 1983 the International Secretariat issued 276 Urgent Actions on 66 countries throughout the world.

Of these 95 were for victims or potential victims of torture; 26 were on behalf of sick prisoners who were not receiving adequate medical attention or for prisoners who were on hunger-strike; 54 were on behalf of people held incommunicado, facing unfair trials or arrested and detained for their non-violent political beliefs; 46 were for people who had "disappeared" or who faced possible extrajudicial execution; and another 46 were on behalf of people facing judicial death sentences.

Nine other Urgent Actions were issued for cases of amputation, flogging, death in detention and fear of *refoulement*.

Concern about shackled prisoners in Pakistan

A prisoner in Pakistan charged with political offences is reported to have been held in leg fetters in Rawalpindi District Jail for at least eight months after a secret trial in May 1983.

AI has sent urgent appeals on behalf of **Hameed Asghar Minas**, a publisher, who is reported to have been tried *in camera* before a special military court on charges that included possession of "anti-state" literature and publication of material deemed to be against the interests of Pakistan. Although the proceedings are over, no sentence has yet been handed down.

Hameed Asghar Minas was reported to be still being held in leg fetters in January. He is said to be suffering from skin allergies and chronic sinus inflammation.

His case is one of a number in Pakistan to have been reported recently of prisoners said to have been fettered or shackled for extended periods, contrary to provisions of the United Nations Standard Minimum Rules for the Treatment of Prisoners.

Section 33 of these rules states: "Instruments of restraint, such as handcuffs, chains, iron and leather strait-jackets, shall never be applied as a punishment. Furthermore, chains or irons shall not be used as restraints . . .".

AI has received a number of reports of prisoners being kept in bar shackles for extended periods, including several political prisoners in Rawalpindi District Jail who are awaiting trial.

The bar shackles reportedly being used consist of a pair of steel rods, nearly three feet long and about half an inch thick, fastened at the waist with chains and at the ankles with iron clasps.

The rods prevent the legs being bent properly and, as a result, prisoners can walk only with difficulty. In addition, the skin around the ankles is reported to become severely chafed.

The Pakistan authorities are reported to have said that the use of bar shackles was justified on grounds of security.



Bar shackles in Rawalpindi. The photograph shows three shackled prisoners in cells at the Special Military Court in Rawalpindi. Their bar shackles (see story) have been temporarily unclasped from the waist but are still attached to the ankles. The steel rods (arrowed) can be seen in front of the nearest prisoner.

Prisoners freed

Several people adopted by AI as prisoners of conscience are among hundreds of political prisoners reported to have been freed in Pakistan recently.

• **Benazir Bhutto**, daughter of the executed former Prime Minister Zulfikar Ali Bhutto, was released from administrative detention on 10 January 1984 and

immediately left Pakistan for medical treatment abroad.

• **Tariq Ahsan**, a university lecturer arrested in November 1981, was released on 11 January. He and two colleagues, **Mohammad Saleem** and **Jamil Omar**, had been tried by a special military court in early 1983 on charges of sedition and possession of subversive documents. In November he was sentenced to two years' imprisonment, Mohammad Saleem to three years and Jamil Omar to seven years; all three were heavily fined. AI is continuing to appeal for the unconditional release of his two co-defendants.

• On 22 January seven lawyers were freed from the Central Jail, Karachi. They and three others had been arrested on 19 October in Karachi during a procession of lawyers protesting at the continuation of martial law in Pakistan. Two of this group of lawyers are still detained, in Mach Jail, Baluchistan: **Abdul Hafeez Lakho**, President of the Karachi Bar Association, and **Kazi A. Ghani**.

• Several hundred people arrested during the second half of 1983 when participating in the protests of the Movement for the Restoration of Democracy (MRD)—see November 1983 *Newsletter*—are reported to have been released during December 1983 and January 1984.

Violent abuse of human rights in Guatemala

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reported to AI since General Mejía Victores attained power include:

• The killing, reportedly by the army, of 13 people, including two entire families, during an attack upon refugees fleeing from the Semuy area, near Chisec, in Alta Verapaz on 23 August 1983.

• The killing of at least eight peasants in Chuabaj, Chichicastenango, El Quiché on 27 September 1983. Peasants who were originally captured but managed to escape reported that victims were tortured before being executed by members of a civil defence patrol.

• The killing in October of 28 peasants, including a girl aged eight, at Sacpulup,

El Quiché, by civil defence patrol members.

• The killing on 7 October of 14 peasants who failed to arrive in time for their obligatory service to the civil defence patrol at Chijtinimit, Chichicastenango, El Quiché. Local sources have stated that there have been 56 similar executions by civil defence patrols in the Chijtinimit area in recent months.

The army have also been implicated in "disappearances" in rural areas, such as those of **Juan Gutiérrez** and his wife **Socora España**, who "disappeared" from the La Unión area, El Petén, after their arrest on 23 September 1983. Both are feared dead.

Violent abuse of human rights in Guatemala continues, UN told

The violent abuse of human rights by "disappearance", "death-squad"-style killing and extrajudicial execution has continued in Guatemala since the country's present rulers came to power, *AI* has told the United Nations Commission on Human Rights.

In a submission due to be considered early in March by the 40th session of the Commission, *AI* notes that since the early 1970s it has found that official forces have been implicated in massive violations of the rights of people in all sectors of Guatemalan society. This has happened under successive administrations.

During the government of General Efraín Ríos Montt (March 1982 to August 1983) *AI* received detailed reports of the large-scale extrajudicial execution of non-combatant civilians by the Guatemalan military and security forces, as well as by civil patrols formed on government orders and acting under military supervision.

AI said it has some 100 hours of taped testimonies by eye-witnesses to hundreds of such incidents, including the killing of entire village populations.

Violations reported

After General Mejía Vítores' accession to power in August 1983, *AI* received reports of scores of "disappearances" and killings in Guatemalan cities by heavily armed men in plain clothes.

The testimony of witnesses, the choice of victims and the circumstances of the abductions and killings indicated that many of these incidents were perpetrated by currently serving and reservist members of the Guatemalan security and military forces, acting under the orders of their supervisors in the guise of so-called "death squads".

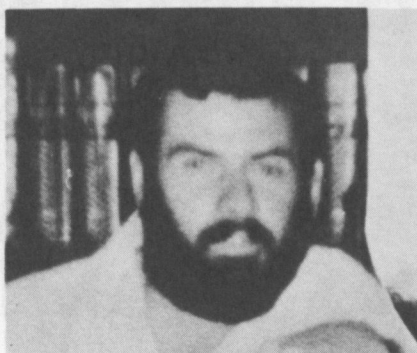
In August and September 1983 the Guatemalan press itself listed more than 80 cases of "disappearance".

University victims

In mid-September the Rector of the University of San Carlos (USAC), which for many years has suffered repeated attacks upon its staff and students, said that 13 members of the university had been murdered or abducted over the previous few weeks. He held the government publicly responsible for their fate.

Cases of "disappearance" which have been reported to *AI* during the Mejía Vítores government and in which official government responsibility has been suggested include those of:

- **Jorge Alberto Rosal Paz**, agronomist, reportedly abducted on 12 August 1983 by armed men while travelling on the road between Zacapa and Teculután.
- **Julieta Esperanza Sánchez Castillo**, a teacher and supervisor of rural education programs in Guatemala City who previ-



Jorge Alberto Rosal Paz, a 28-year-old agronomist who "disappeared" after reportedly having been abducted by armed men on 12 August 1983. His "disappearance" is one of a number which have been reported to *AI* since the Mejía Vítores government came to power in August 1983 and in which official government responsibility has been suggested.

ously worked on projects funded by the Agency for International Development (AID), and her daughter, **Piedad Esperanza Barrios Sánchez**, 22, a law student and cooperative accountant: they were arrested by men in civilian clothes on 7 October 1983 in Zone 2 of Guatemala City as they left for work.

- **José Felipe Ralac Xioloj**, 29, a law student, and his wife, **Celia Chet de Ralac**, a university student, who were abducted from their home by armed men in civilian clothes on 18 October 1983. On 15 November the authorities announced that the partially charred bodies of the two women mentioned above and José Ralac had been recovered from a burnt-out car which had been involved in a road accident. Local police and firemen maintained that they died when their car crashed into a cliff and burst into flames. However, eye-witnesses stated the car was pushed to the cliff, soaked with gasoline and set alight. Colleagues declared that the victims could not drive. Another witness stated that Piedad Esperanza Barrios Sánchez' body showed signs of torture and that the others appeared to have been beaten. José Ralac's wife is still missing.

- **Herminio Edelfo Ramos Pérez**, 24, an AID worker in Los Corrales, Quezaltenango, was abducted from his home in mid-November by seven men with machine-guns.

'Disappeared' children

In December alone, 18 other people were reported to have "disappeared", including two children, aged four and eight. The "disappeared" include **José Bran** and **Miguel Ángel Gómez**, leaders of the trade union at the Pantaleón sugar mill, Escuintla; **Carlos Rolando Penagos**,

USAC law professor, and his assistant, law student **Carlos Gálvez Thompson**, who were abducted as they left Carlos Penagos' law office on 7 December; and USAC professor **Eugenio de León**, who was abducted with USAC student **Hector Felipe Villegas** on 12 December.

Extrajudicial executions in which "death squad" involvement is suspected have also been reported since August. Victims include:

- **Three Christian Democrat leaders** shot and killed in October by men in civilian clothes in El Semillero, 86 miles southeast of the capital. The Christian Democrat Party's Secretary General, **Vinicio Cerezo**, has stated that other party leaders had received death threats from "death squads operating with the consent of local authorities".

- **Augusto Ramírez Monasterio**, a Franciscan priest from Antigua Guatemala, who was shot and killed in the capital on 8 November 1983. He had been detained and ill-treated by the army five months earlier and had since received anonymous death threats.

- **Seminary student Prudencio García Mendoza**, who was killed in the department of Huehuetenango on 11 December 1983.

Killings in countryside

AI has received continuing allegations in recent years of the large-scale extrajudicial execution of non-combatant civilians in the Guatemalan countryside by the Guatemalan army and civil defence patrols under their supervision. Spokesmen for successive administrations have maintained that local villagers have voluntarily formed and served in these squads, independent of governmental control, as a defence against attacks by opposition forces. After study of the available information, *AI* has concluded that such squads are formed and supervised by the military, which must be held responsible for human rights abuses carried out by them.

There have been fewer reports recently of extrajudicial executions by regular military and civil defence patrols in areas where the Guatemalan army has strengthened its control. However, such reports have increased in areas of continuing military conflict, such as San Marcos and Alta Verapaz. Extrajudicial executions

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