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AFGHANISTAN

Testimony on torture

AI believes that political prisoners in Afghanistan are systematically tortured by agents of the *Khedamat-e Etela'at Dawlati (KHAD)*, State Information Services.

There are consistent accounts of the complicity of Soviet personnel through their presence during interrogation under torture.

In a new report, *Afghanistan: torture of political prisoners*, AI publishes testimony from former political prisoners who state that they were tortured by KHAD agents. The report also quotes former prisoners who say they witnessed Soviet personnel attending torture sessions.

The report deals specifically with torture and other human rights abuses since the government of President Babrak Karmal came to power in December 1979. It details the widespread arrests of government officials, teachers, shopkeepers and students. Some violently opposed the government, but others were taken into custody on suspicion of involvement with the armed opposition.

Prisoners are most commonly tortured in KHAD interrogation centres in Kabul or in provincial cities, but AI has also interviewed people who were tortured in prisons and at military posts.

The torture is said to include

beatings, electric shocks to sensitive parts of the body, being burnt with cigarettes and hair being torn from the scalp. Women prisoners report not only being tortured but being forced to

Afghan law prohibits torture. Afghanistan has also ratified the International Covenant on Civil and Political Rights and signed the UN Convention against Torture. AI has called on the Afghan Government to set up a public inquiry into all complaints and reports of torture by Afghan security forces, and to introduce effective measures to ensure the safety of detainees and to prevent torture. Where it is proved that an act of torture has been committed, criminal proceedings should be brought against the offender.

witness the torture of male prisoners. Three women reported being incarcerated with the corpse of a torture victim.

African charter in force

The African Charter on Human and Peoples' Rights is now in force. A majority of member states of the Organization of African Unity (OAU) have ratified the Charter, which became legally binding on States Parties on 21 October 1986.

The text of the Charter was unanimously adopted by the OAU in 1981. It provides for protection of basic rights, including those which form the basis of AI's work — the right to life, the right to be free from arbitrary arrest or detention, the right to a fair trial and the right

to freedom of conscience.

With the Charter in force, OAU member states will elect an African Commission on Human and Peoples' Rights. Its responsibilities will include promotion of human rights in the region and examination of complaints that the Charter has not been respected.

AI has welcomed the Charter as a major regional initiative in the protection of human rights. It is encouraging all OAU member states to become parties to the Charter as well as to the International Covenant on Civil and Political Rights. □



An aerial view of Pul-e Charki Prison in Afghanistan. The prison was built for 5,000 prisoners but AI believes that over 10,000 are now held there.

Many prisoners have stated that Soviet personnel are present during torture and often participate in interrogations, but do not themselves torture prisoners. One 26-year-old student testified: "In all the interrogations, Soviet officials were present. I could identify them from their faces and from their language . . . They normally act as advisers. They draft questions. In my own interrogations they drafted questions and dictated them in Russian to the KHAD agent who would then ask the questions . . . The act of torture is done by the KHAD agents. Soviets were present but they only gave orders and did not

participate in the actual torture themselves."

AI has raised its concerns about torture and other human rights violations with the Afghan Government several times since 1979, most recently in September 1986. In 1984, the organization made a submission to the United Nations Special Rapporteur on Afghanistan about human rights in Afghanistan to which it invited President Karmal to reply. No response has been received to any of these communications. The organization has also written to Soviet State President Andrei Gromyko about the reported complicity of Soviet personnel in torture in Afghanistan. □

BOLIVIA

Death penalty may be reintroduced

The Bolivian Government is apparently considering reintroducing the death penalty.

In October 1986 AI wrote to President Victor Paz Estenssoro to express concern about reports that the Bolivian Congress is to study a reform of the State Political Constitution which would reintroduce the death penalty for certain types of criminal offence.

The death penalty was abolished in Bolivia in the State Political Constitution in 1967. Although it was reintroduced in the penal code and code of military justice adopted during the 1970s, the constitutional prohibition of the death penalty was not modified and took precedence over other legislation.

Two bills are presently before

Congress, both of which propose modifying Article 17 of the State Political Constitution to re-establish the death penalty in cases of abduction and subsequent murder of minors.

AI has written to the Bolivian Government stating its opposition to the death penalty on the grounds that it violates the right to life and is the ultimate cruel, inhuman and degrading form of punishment.

AI drew the government's attention to Article 4 of the American Convention on Human Rights, to which Bolivia is a party and which prohibits the reintroduction of the death penalty in countries which have abolished it. □

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.

PERU

Policarpio Condori Vargas: a 48-year-old farmer and labourer from the department of Puno, he is among 115 prisoners who "disappeared" in June 1986 after the Peruvian armed forces crushed three prison mutinies.

Policarpio Condori Vargas was detained in the peasant community of Calancache on 27 June 1984 by members of a local "civil defence patrol", one of many groups of peasants organized by the army to combat the Shining Path guerrilla group. He was travelling to his community from the city of Puno, where he worked, to visit his 10-year-old daughter. His captors handed him over to the Civil Guard and during the next two weeks he was reportedly systematically tortured, and charged with terrorism.

AI has received information which supports Policarpio Condori's denial that he had engaged in or supported acts of violence. AI believes he was detained because he came from a peasant community in an area where Shining Path guerrillas have been active.

Policarpio Condori was transferred to El Frontón penal island. He had formally requested a transfer to Lurigancho prison's Section 11-B on the mainland. He arrived at El Frontón shortly before 18 June, when coordinated mutinies broke out in El Frontón, Santa Barbara and Lurigancho prisons.

The three mutinies were crushed with enormous loss of life. At Lurigancho's Industrial Pavilion, where most prisoners were professed adherents of Shining Path, all 124 prisoners were killed. Some 100 were found to have been summarily executed after surrender. At El Frontón, 34 prisoners were acknowledged to have survived, who are now in mainland prisons. Officials stated that 30 had died and claimed that the bodies of the rest were buried in the rubble of the cell block. Over six months later, however, only four bodies have been found, and 115 prisoners, including Policarpio Condori, are still missing.

AI has submitted evidence to the Peruvian authorities that many survivors were taken to the Navy's

principal base at Callao but the missing prisoners have not been accounted for.

■ Please send courteous letters urging that Policarpio Condori Vargas' whereabouts be made known, and that he be released as a prisoner of conscience or else accounted for. Write to: President Alan García Pérez/Presidente de la República del Perú/Palacio de Gobierno/Plaza de Armas s/n/Lima 1/Peru. □

Prisoner News

AI learned in October 1986 of the release of 178 prisoners under adoption or investigation; it took up 187 cases.

BULGARIA

Kostadin Kalmakov: a Pentecostalist previously imprisoned for refusing military service, he is serving a five-year prison term.

Kostadin Kalmakov, aged 56, married with two children, is an electrotechnician from Karnobat. He was arrested on 8 March 1982 in Karnobat and tried in November 1982 by the District Court of Ajtos on a charge of "anti-state propaganda" after chalking slogans on a fence protesting against the imprisonment of conscientious objectors.

Kostadin Kalmakov is a Pentecostalist who refuses to carry arms and has previously been imprisoned for conscientious objection to military service. His son, also a Pentecostalist, has been imprisoned four times for being a conscientious objector. Kostadin Kalma-



Kostadin Kalmakov

kov was sentenced to four years' imprisonment under Article 108 of the Bulgarian Criminal Code. To this was added a further one year's imprisonment from a suspended sentence imposed previously for casual remarks he had made about food shortages in Bulgaria.

AI has received allegations that Kostadin Kalmakov has been ill-treated in detention, especially after protesting against Christmas Day being designated an ordinary work day in prison. He is currently serving his sentence in Burgas Prison.

■ Please send polite letters appealing for his release to: His Excellency Mr Todor Zhivkov/Chairman of the State Council/Darzhaven Savet na Narodna Republika Bulgaria/Bul. Dondukov 2/Sofia/The People's Republic of Bulgaria; and to: The Director of Burgas Prison/Nachalnikatna Zatorva Burgas/Burgas/The People's Republic of Bulgaria. □

ZIMBABWE

Norman Zikhali: an opposition politician and former trade union leader, he has been detained without charge since November 1984 under the country's state of emergency.

A member of the central committee of the minority Zimbabwe African People's Union (ZAPU), Norman Zikhali was arrested on the road between Bulawayo and Beitbridge in southern Zimbabwe by officials of the Central Intelligence Organization.

Two other ZAPU central committee members, Angeline Masuku and Molly Ndlovu, were arrested with him. All three had been sent by party leader Joshua Nkomo to investigate an outbreak of interparty violence in Beitbridge following the assassination of government senator Moven Ndlovu.

The three were served with detention orders under the Emergency Powers (Maintenance of Law and Order) Regulations, which permit indefinite detention without trial, and were later transferred to Chikurubi Maximum Security Prison in Harare. Angeline Masuku and Molly Ndlovu were both released without charge during 1985.

Altogether 80 people, most of them ZAPU supporters, were arrested as a result of the Beitbridge

disturbances. All but 22 were later released. Of those who remained in custody, five stood trial in July 1986 for the murder of Senator Ndlovu but were acquitted.

The grounds for Norman Zikhali's detention do not apparently include any allegation that he was involved in either the murder or the subsequent violence. He appears to be detained solely because he was carrying out his function as an official of a legal and non-violent minority party.

Norman Zikhali was one of the pioneers of the Zimbabwean trade union movement in the 1960s as the national organizer of the United Building and Woodworkers' Union. He was detained between 1973 and 1978 because of his opposition to the then Rhodesian Government and was adopted by AI as a prisoner of conscience.

■ Please send courteous letters appealing for his release to: Hon. Robert Mugabe/Prime Minister of the Republic of Zimbabwe/Munhumutapa Building/Private Bag 7700, Causeway/Samora Machel Avenue/Harare/Zimbabwe. □

GDR: release

Mike Wolf, a prisoner of conscience from the German Democratic Republic, was released from prison in mid-October and permitted to emigrate to the Federal Republic of Germany.

AI's delegate was barred from attending Mike Wolf's trial on 13 June 1986 (see August Newsletter), at which he had been sentenced to two and a half years' imprisonment for peacefully expressing his wish to leave the country. □



FILE ON TORTURE

amnesty international

Chile

It is not the fact that he was tortured that makes Pablo Guerrero's case unusual. It is the fact that, through the quick and determined action of civilian judges, he was rescued from torture.

Pablo Guerrero, a 23-year-old student, was arrested on 1 July by men in plain clothes who identified themselves as agents of the *Central Nacional de Informaciones (CNI)*, the state security police. His companion, Victoriano Veloso, was shot dead.

Pablo Guerrero later recollected: "Suddenly I heard vehicles' brakes screeching and shots. I turned around to see what was happening and realized that bullets were flying past me . . . There were about 30 of them, all in civilian clothes. About five of them forced me into a large vehicle, pushing me under the back seat . . . They covered my face with a blindfold . . . It was like entering a tunnel from which there is no escape, there the only laws are those created by them. There was no justice, only destruction and death."

On the day of his arrest Pablo Guerrero's family submitted an *amparo (habeas corpus)* petition

on his behalf. The following day his father, having read press reports that Pablo Guerrero had been wounded, appealed for his son to be brought before the court so that he could be medically examined.

Pablo Guerrero had been tortured severely: "During the second day of the torture, the interrogation became more detailed . . . my answers did not satisfy them so they sent me back to the *parrilla* . . . this time the session was much worse . . . I was told that in the official statement they had said that I had been shot and badly wounded, and they could easily make me turn up dead."

Meanwhile the judges, in an



Pablo Guerrero: "... it is spiriting to see that in the midst of this terror, solidarity emerges . . . solidarity is a gift of the human being that can be raised as a weapon against torture, death and fear."

unusually speedy and positive intervention, granted the *amparo* petition and ordered that Pablo Guerrero be brought before them "to ascertain his state of health". Pablo Guerrero noticed an immediate change in his torturers' attitude: "... the treatment changed considerably and they began to concern themselves with my food and health."

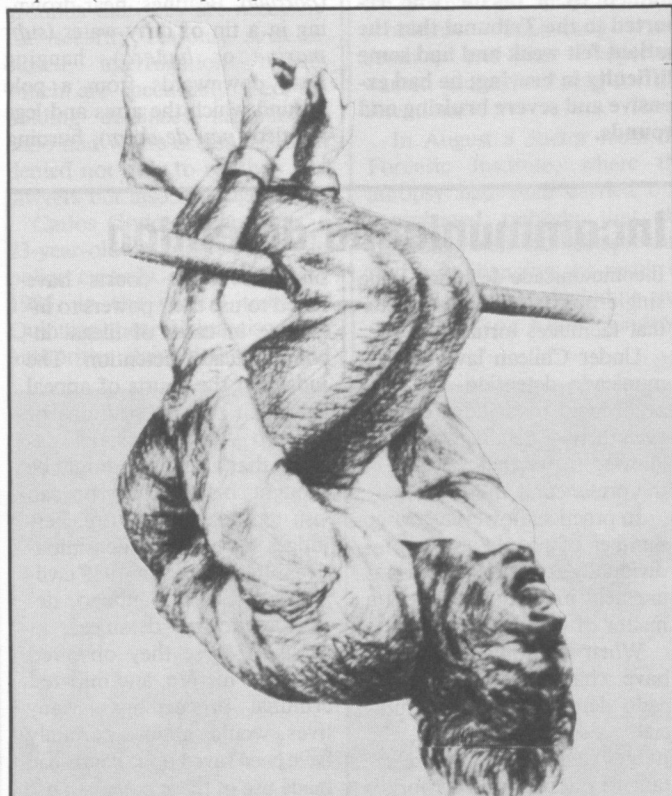
The following day, 4 July, Pablo Guerrero was brought before the court and examined by a doctor from the Forensic Institute. The examination found bruises, scars from skin punctures and grazes. The court ordered that Pablo Guerrero be immediately taken to the Barros Luco Hospital. There X-rays revealed that he had six broken ribs and a spinal injury.

Throughout this time he was guarded by CNI agents. That afternoon his relatives tried to visit him in hospital but were prevented from seeing him by the agents. They complained about this to the court, as a result of which three judges visited the hospital. Following their visit the court ordered that: "[Pablo Guerrero] is not incommunicado and may receive visits from his

parents during visiting hours".

On 8 July, in an unprecedented move, the Appeal Court judges who had heard the *amparo* petition on behalf of Pablo Guerrero initiated criminal proceedings against his torturers. The CNI publicly denied that he had been tortured. On 21 July CNI Director General Humberto Gordon replied to an article about the case published by the opposition magazine *Cauce*, that: "The prisoner Mr Guerrero resisted arrest as a result of which he had to be subdued by force, which resulted in some bruises . . . Therefore the said Guerrero did not suffer broken ribs or damage to the spine as claimed . . . Neither was he subjected to electric shock or what your magazine refers to as the submarine because, for your information, in this institution there is no torture . . ." General Gordon sued the editor of the magazine for libel.

The investigation into the torture complaint has made little progress. On 30 November 1985 the civilian judge said that the full identity of the perpetrators had not yet been established "due to the obstruction of this



Artist's impression of the *pau de arara*, parrot's perch, a method of torture in Chile.

task, namely the failure of the suspects to present themselves for examination before the judge, the disobedience of the heads of the service of which they are members, the interference by the prosecutor from the Third Military Court of Santiago [which claimed jurisdiction over the case]". The Supreme Court has ruled that the Third Military Court should hear the case.

Pablo Guerrero is still in prison, awaiting trial on charges under the Arms Control Law. But the swift action of the judges rescued him from torture. For others there was no rescue. Since 1981 10 people have died under torture. One of them was Juan Aguirre Ballesteros.

Juan Aguirre went missing after being detained by uniformed police with other young men from a *población* (poor neighbourhood) near Santiago on 4 September 1984. All except Juan Aguirre were released without charge after a few days. Alarm spread when all branches of the police and security forces denied holding him. Marches were held to demand that he be produced. The Catholic Church called for his release. On 22 October, his headless and mutilated body was found in a river near Santiago.



Juan Aguirre's brother protests against the arrest and "disappearance" of his brother in September 1984.

One of those detained with him testified that: "they began to interrogate the other youth, whom I later found out to be Juan Aguirre. I could hear a loud buzzing from the electricity generator. There was a loud scream and then silence. I noticed that the agents who were carrying out the torture suddenly became very agitated. One of them said something like: 'We've lost this bastard' while another said 'This bastard couldn't take it' . . ."



The head of a man who claims that part of his scalp was cut away by police while he was in custody during a protest in a poor neighbourhood.

TESTIMONY OF TORTURE

In Santiago, on 26 August 1986, José Abelardo Moya Toro, a photographic platemaker and businessman, made the following statement before a civilian judge:

"I was arrested on Tuesday, 19 August 1986 . . . by CNI personnel travelling in five vehicles. I do not know where they took me. They interrogated me about the arms found in the north, about which I know nothing . . . My 20-year-old son was arrested in the northern zone of Carrizal about three weeks ago. Those who had arrested me took turns punishing me; they kicked and hit me with their hands and even applied electric current to my penis and testicles. They also put a sort of band on my head, to which they connected some wires and applied electric current there also. This lasted more or less until 3pm that day and the process was repeated on the following day. All the time they kept me blindfolded with scotch tape, [so] I cannot identify those who arrested me. I should bring to your attention the fact that they also took me to a doctor whose examination sufficed for them to continue torturing me. On the second or third day, they took me out to a sort of field where I heard cows mooing . . . While I was on the ground they kicked and beat me and proceeded to undress me. They threatened to shoot me and I even heard bursts of gunfire. In this same place they put my head into a basin with water in it. Afterwards they made me dress and took me back to the detention centre. During all the days of my detention I suffered various psychological pressures . . . they showed me my son and told me

that they were going to 'carve him up'."

The judge noted that José Abelardo expressed himself with difficulty and said he had difficulty in understanding what he was asked, because of the injuries inflicted. He noted that he had extensive bruising on his thorax and arms and scabs on his lower lip which were consistent with the application of electric current.

José Abelardo was also examined by a doctor who reported to the Tribunal that the patient felt weak and had some difficulty in hearing; he had extensive and severe bruising and wounds.

Incommunicado detention

Incommunicado detention is the single most important factor that facilitates torture.

Under Chilean law, incommunicado detention can only be ordered by a judge and — even then — detainees must be allowed to see their lawyers in the presence of the judge.

In practice, however, a large number of people arrested individually for political reasons are held incommunicado as a matter of routine.

When prisoners' lawyers have challenged incommunicado detentions without judicial orders in the courts, the judges have usually been reluctant to question the authority of the security forces.

In the vast majority of cases

Torture prohibited

Chilean law prohibits the use of torture. The military government has also frequently stated that official directives expressly forbid the coercion of detainees and provide for medical examination on arrival at a police station and throughout custody.

However between January and June 1986 local human rights organizations recorded 81 cases of torture and 369 cases of cruel, inhuman and degrading treatment. The total is probably much higher. Many victims are afraid to speak out, believing that they will be threatened with further violence if they complain.

Since 1973 Amnesty International has received hundreds of detailed testimonies of torture from people held by the Chilean security services. Torture is used primarily to extract information. It is also used to intimidate the opposition and deter critics.

The victims have included political activists — usually men and women between 15 and 35 years old — their friends, associates and relatives. Human rights activists, trade unionists, community leaders, lay church workers and members of the urban poor have also been tortured.

The methods used almost invariably include electric shocks to the most sensitive parts of the body — ears, mouth, genitals, nipples, fingers, anus — while the victim is tied to a metal grid (*parrilla*). Beatings, near-drowning in a tin of dirty water (*submarine* or *bañera*), hanging head downwards from a pole around which the arms and legs are tied (*pau de arara*), burning

with cigarettes and intense psychological torture are also used. Rape and sexual humiliation are common. Torture victims are kept in solitary confinement, hooded or blindfolded and sometimes naked.

Torture is not the result of isolated excesses by individual members of the security forces. It is a deliberate and carefully devised practice, as is illustrated by the following facts:

□ Doctors are often present at torture sessions to advise whether the detainee is strong enough to withstand the "treatment" and to revive him or her when necessary.

□ Equipment has been specially designed for use by torturers.

□ The torturers' techniques are so sophisticated that it points to their having been trained in the practice.

Many government bodies appear to condone the practice either by act or by omission.

Emergency legislation which has been continuously applied and gradually reinforced, gives the security services ever-increasing powers of arrest and detention and reduces the rights of the detainees.

□ Incommunicado detention is used routinely, and the authorities responsible have failed to forbid its application without judicial order.

□ Pressure is put on public officials to issue false documents.

□ Practices which have been clearly shown to facilitate torture are allowed to continue on the grounds that they are necessary for security reasons, such as closed interrogation centres which are specifically used for holding detainees incommunicado and where access has been denied not only to relatives and lawyers but also to judges.

Carlos Godoy Etchegoyen, a 23-year-old student, died in police custody on 22 February 1985, in the coastal town of Quintero, near Valparaiso. The authorities claimed that he had



Arrest in Chile can lead to incommunicado detention and torture by the security services

died of heart disease. However youths held with him testified that they had all been severely tortured and that they had heard Carlos Godoy's "agonizing screams" on the day he died.

In April, a local judge complained to the appeals court that a *carabineros* captain had approached her to ask that the date of a search warrant related to the case be changed from 23 February to 20 February, two days before Carlos Godoy's death, on the grounds that "there had been problems, apparently one death", and his "superiors wanted judicial backing for the detentions".

In August a doctor from the Forensic Institute, where the autopsy had been carried out, complained publicly that the Institute's staff had been pressurized into changing the result of certain autopsies, including that carried out on Carlos Godoy's body.

The courts and torture

In 1984 the United Nations Special Rapporteur on Chile reported to the General Assembly that: "the majority of complaints lodged in the courts against police officers and other security personnel alleged to have committed offences have been discontinued without the perpetrators having been identified, let alone convicted . . . [Courts], particularly the military courts, appear to impede the investigation procedurally . . . consequently a certain impunity appears to be enjoyed by the security agencies which act outside judicial control in perpetrating the repeated human rights violations attributed to them, including acts of torture."

Courts have accepted without question evidence in the form of a declaration signed by the detainee stating that he or she was correctly treated even when the detainee showed visible marks of ill-treatment. Detainees are frequently forced to sign such statements under torture and while blindfolded. Some courts have dismissed allegations of torture because the victim could not name the torturer. As most victims are blindfolded they cannot identify their assailants.

Judicial investigations into claims of torture have been exceedingly slow and the cases have almost invariably been closed "for lack of evidence". Lawyers working with the *Vicaría de la Solidaridad*, a human rights

organization run by the church in Santiago, have represented hundreds of victims and their families. They gave the following description of such cases: "The statements from the victims are taken after a long time, when marks [of torture] have disappeared. In some cases it has been a year before a forensic medical examination has been ordered.

The torturers are summonsed even later, and they simply state that the allegations are false and that the claimant was treated very well during detention, as is recorded in the document that he or she signed. During the investigation the judges consistently refuse to carry out the inquiries which are requested [by lawyers representing the victims].

The suspected torturers are transferred to localities far from the site of the court and, as they always use false names, in the end even their existence is denied. Witnesses for the prosecution, usually other detainees, are never called.

In the few instances where a military prosecutor has been persuaded to go to the place where the torture occurred, the implements used such as *parrilla*, electric prods, posts for hanging, water containers for *submarine*, have already been removed. Of the 523 complaints on which verdicts have been issued [between 1978 and 1985], 520 ended with the temporary or definitive closure of the case and only three resulted in convictions. But these were not related to the torture of political prisoners; they concerned common-law suspects."



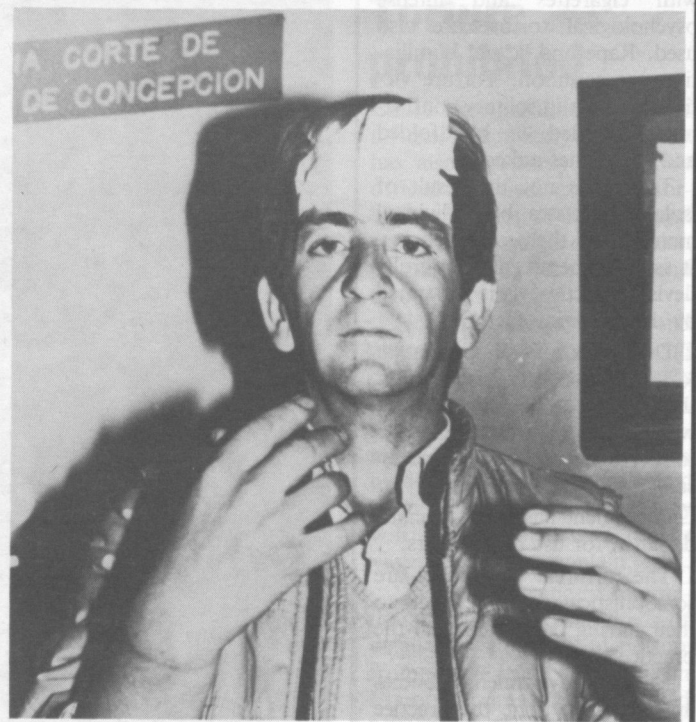
Demonstration against torture outside the Chilean Human Rights Commission

Testimony of torture

Today torture continues to be practised in Chile. Sergio Reyes Olate (right), a 36-year-old gas fitter from Lota, a town outside Concepción, was held and tortured by *investigaciones* (criminal investigation police) for four days in April 1986. When his case came before a judge he and two others detained with him were released. In his submission to the court Sergio Reyes described what had happened to him after being seized on the street and taken to an *investigaciones* barracks: "I was blindfolded and handcuffed. They made me take all my clothes off and threw cold water over my body. They took me in another room and hung me upside down from a metal bar in a position known as the *pau de arara*. They questioned me about

some boxes with weapons and explosives, about people I didn't know and about my supposed participation in bombings . . . they put a thick piece of wet cloth in my mouth and started to give me electric shocks to the most sensitive parts of the body such as the forehead, chest, testicles and anus . . . I don't know for how long this lasted because when they stopped I was semi-conscious and I can only remember that I couldn't stand up.

"The left side of my body is still numb and I cannot clench my fists because my hands are swollen. I have difficulty walking and have a cut on my forehead. I feel physically unstable. My hearing has been affected and I have a constant headache. It is over 90 hours since I was tortured."



Members of the growing movement against torture demonstrate outside the main closed interrogation centre of the CNI in Santiago, known as "Borgono Street". They take considerable personal risks. Their demonstrations are often brutally suppressed.

Proof of torture

Investigations into complaints of torture rarely make progress in the courts and when they do the judicial investigators and victims' lawyers must contend with enormous obstacles, including elaborate plans to cover up the crimes. In spite of this, it has been possible to prove in court that torture took place in a number of cases.

□ Five *carabineros* have been formally charged with "unnecessary violence with result of death" in the case of Carlos Godoy.

□ In the investigation into the death of José Randolph Segovia, who was found dead at the bottom of a cliff near Concepción on 26 May 1985 following his arrest by local police, the judge has established that the youth did not die in the fall but as a result of internal injuries consistent with an attack by other people. The police

claimed that he had committed suicide after escaping from custody.

□ The civilian judges investigating the death of 55-year-old Mario Fernández López, a Christian Democrat activist, decided that he died while being tortured by CNI agents after his arrest in October 1984. Two CNI agents were charged. The autopsy had revealed internal injuries so serious that, according to medical sources, they "could only be caused by extreme violence, such as a crash in a car travelling at great speed, or repeated and powerful blows with hard objects". However, the military prosecutors in charge of the trial appeared to accept the CNI version that he had "hit himself against furniture, and also fallen on the floor". They dropped the charges and released the two agents unconditionally. After considering appeals in this case, the Supreme Court decided in June 1986 that the prosecutions should go ahead.

Doctors' involvement

Detainees held *incomunicado* are not given independent medical check-ups. According to testimonies, their most common form of contact with doctors at police stations or interrogation centres is, paradoxically, in the torture chamber. Doctors or other medical personnel frequently examine the victim to advise whether he or she can withstand further torture. The Chilean Medical College has received specific allegations against 20 doctors. Its Ethics Committee is currently examining the evidence against six of these, and it has

already found two others guilty of gross professional misconduct for their participation in torture sessions.

Faced with increasing evidence of the involvement of certain doctors in the practice of torture, in 1984 the Chilean Medical College issued a new Code of Ethics for its members. This new code specifically prohibits doctors from "aiding, condoning or participating in the practice of torture or cruel, inhuman or degrading treatment."

It is also forbidden to "be present before, during or after any procedure in which torture or cruel, inhuman or degrading treatment are applied or used as a threat".

What you can do

AI considers that a number of essential measures — both remedial and preventive — need to be implemented to bring an end to torture in Chile.

Please write courteous letters to the government's advisory committee on human rights, with copies to the Chilean Embassy in your country. Call for the government to:

- repeal all emergency legislation that facilitates human rights abuses
- restore the full right to *amparo*
- end *incomunicado* de-

tention without judicial order

- abolish all closed interrogation centres

- bring to justice any members of state agencies or their associates against whom there is evidence of involvement in torture.

Send your letters to: Sr. Ricardo Martín, Presidente, Comisión de Derechos Humanos, Teatinos 251, Of. 501, Santiago, Chile. Send copies to: Chilean Embassy or other Chilean diplomatic representation in your country.

RWANDA

Persecution of religious sects

Almost 300 people in Rwanda have been sentenced to from four to 12 years' imprisonment because they belong to illegal religious groups. The sentences were passed by Rwanda's State Security Court on 24 October 1986.

The defendants are members of four religious sects: the *Abantu b'Imana Bihana* (Repentant People of God), the *Abarokore* (The Elect), the *Abatampera* (Temperance Movement) and *Abayohova* (Jehovah's Witnesses). The first two are part of the revival movement within the East African Protestant Churches. The *Abatampera* were formerly members of the Seventh Day Adventist Church.

The 298 defendants were convicted of distributing subversive information, encouraging people to disobey government orders and holding illegal meetings. Most of the charges arose from their refusal to take part in *animation*, dancing and singing in praise of the president and the ruling party, and *umuganda*, communal work. These activities have been made compulsory by the ruling *Mouvement révolutionnaire national pour le développement* (MRND), Revolutionary National Development Movement. Membership of the MRND is obligatory for all Rwandese.

Jehovah's Witnesses received the most severe sentences of 10 and more years' imprisonment. The two most prominent defendants, Augustin Murayi Nduhira, a former Director General at the Ministry of Education, and his wife, Rachel Ndayishimiye, were both sentenced to 12 years' imprisonment. They were arrested in August 1986 after Augustin Murayi Nduhira refused to sign a document renouncing his religious views. Both are Jehovah's Witnesses. AI considers them to be prisoners of conscience.

Most of the other defendants were sentenced to eight years' imprisonment, or less if they were found to be illiterate. Those aged 16 or less received sentences half as long as the adults. □

Death Penalty

AI has learned of 55 people being sentenced to death in eight countries and of 47 executions in 10 countries during September 1986.

CUBA

Human rights activists arrested

Five human rights activists are being held on unknown charges by the State Security Police. All had previously served sentences for political offences.

AI believes they have been arrested for trying to publicize human rights violations in Cuba and has called on the government to release them immediately and unconditionally.

There are reports that some may have been ill-treated in detention and pressed to make them sign false statements.

José Luis Alvarado Delgado and Dr Domingo Jorge Delgado Castro were both detained between 20 and 27 August in Havana. Elizardo Sánchez Santa Cruz, Dr Adolfo Rivero Caro and Enrique Ladislao Hernández Méndez were arrested on 25 September. Elizardo Sánchez was arrested shortly after being interviewed by foreign journalists about the unofficial *Comité Cubano Pro Derechos Humanos* (CCPDH), Cuban Committee for Human Rights, and the arrests of José Luis Alvarado and Dr Delgado, who a government spokesman later described as "local ter-

rorists". CCPDH President Ricardo Bofill, a former prisoner of conscience, sought asylum in the French Embassy in Havana on 27 August, where he remains.

José Luis Alvarado had been released on 30 May 1986 after serving four years of a six-year sentence for "enemy propaganda". He gave an interview to *Reuters* about his release and that of other political prisoners.

Dr Delgado, a lawyer aged about 40, believed to be the secretary and legal adviser of the CCPDH, was also recently released after serving about five years of an eight-year sentence for "violating the extraterritorial rights of a foreign power". He had reportedly visited the Ecuadorian Embassy in Havana twice while preparing the defence of people arrested for trying to obtain political asylum in the embassy.

Enrique Hernández Méndez, a 51-year-old professor and former

diplomat, reportedly sought asylum in the Peruvian Embassy in Havana in 1980, together with thousands of other Cubans. Like most of the others, he was granted safe conduct to leave the country. However, he was arrested after he left the embassy and sentenced to two years' imprisonment for "illegal exit". He is said to be a Vice-President of the CCPDH.

Dr Adolfo Rivero Caro, a lawyer and former director of several socialist magazines, was also arrested during the Peruvian Embassy incident in 1980. He too had attempted to leave Cuba. He was held without trial for 21 months and informed a year later that he had been fined and sentenced to one year's imprisonment. He is reportedly the CCPDH Foreign Relations Secretary.

Elizardo Sánchez, aged 42, was a professor of philosophy at the University of Havana until his expulsion from the Communist Party in 1968. He was also arrested in April 1980 and sentenced to six years' imprisonment for his anti-government views. He was released in December 1985. Up until his latest arrest he had been trying to leave Cuba legally to join his wife and children in the USA. He is reportedly a CCPDH Vice-President. □

KENYA

Political arrests and torture

Over 100 people have recently been arrested in Kenya, apparently on suspicion of opposition to the government. AI has received reports that several have been tortured.

Seven people are being detained indefinitely without charge or trial under the Preservation of Public Security Act. Some 40 have been convicted of sedition and jailed for periods ranging from 15 months to seven years. None were represented in court. Many others have been held incommunicado for interrogation for up to five months without charge or official acknowledgement.

Kenyan authorities have sought in particular to suppress a clandestine socialist opposition organization, *Mwakenya*, Union of Nationalists for the Liberation of Kenya. *Mwakenya* has issued a number of leaflets criticizing President Moi's government, one of which called for its overthrow through guerrilla warfare.

In July, three men pleaded guilty to sabotaging a railway line on *Mwakenya's* instructions.

Several prisoners were reportedly tortured by the Police Special Branch in Nairobi apparently to force them to "confess". Prisoners have allegedly been held nak-

ed in water-flooded cells for from two to seven days. AI has also received reports of prisoners being beaten with sticks; deprived of food for days and subjected to various disorientation techniques.

The seven political detainees include four university lecturers — Kariuki Gathitu, Ngotho Kariuki, Katama Mkangi and Mukaru Ng'ang'a who is a former prisoner of conscience — and Wanyiri Kihoro, a lawyer. The government has given no precise reasons for their detentions other than protecting public security.

The 40 convicted prisoners, who include civil servants, businessmen, teachers and students, all pleaded guilty to charges such as "possession of a seditious publication" and "neglecting to report a felony" (namely, the existence of an organization publishing seditious literature).

AI has appealed to the authorities to hold an inquiry into the allegations of torture. AI believes that some of those held may be prisoners of conscience. □

Mauritania arrests

Over 20 people in Mauritania are reported to have been sentenced to long terms of imprisonment and internal exile for holding an illegal meeting and distributing tracts considered harmful to national unity. The defendants, who were sentenced in September 1986, include former government and army officials, academics and students. AI has also received reports that some have been ill-treated.

Those arrested are believed to support a political movement which opposes what it considers to be political and social discrimination by the ruling Arab-Berber ethnic group against the southern, black population. Earlier in the year a document entitled *The Manifesto of the Oppressed Black Mauritanian* was distributed outside Mauritania. It accuses colonial and post-colonial governments in Mauritania of discrimination against the black community, but does not appear to advocate violence. AI believes that those convicted may be prisoners of conscience. □

SOUTH AFRICA

Wave of arrests in Transkei

More than 50 school and university students and known critics and opponents of *apartheid* have been detained without trial in recent weeks in South Africa's Transkei "homeland".

Some of those arrested have been held incommunicado since late July 1986 under the Public Security Act, which was introduced in Transkei in 1977 to replace former South African security legislation.

This act closely parallels current South African security laws by, for example, permitting security police to hold detainees incommunicado and in solitary confinement for unlimited periods.

Some of those detained were arrested shortly after a guerrilla attack on a police station in Umtata, Transkei's capital, which left several people dead. However, no evidence has been produced as yet to link those detained with the attack. The detainees include Synod Madlebe and Sigqibo Mpendulo, two former supporters of the banned Pan Africanist Congress (PAC), who were detained incommunicado continuously for about two years in the late 1970s, and then released uncharged.

Most of the student arrests occurred in September and followed attempts to commemorate two events: the death in detention in 1977 of black consciousness leader Steve Biko and the shooting of a former student leader, Batandwa Ndongdo.

Batandwa Ndongdo was shot dead in September 1985 when he tried to escape from the custody of several people reported to be members of the Transkei security services. Following his death, lawyers who took up his case and witnesses to his killing were detained by the authorities. It was alleged that Batandwa Ndongdo had been killed because of his activities in opposition to the Transkei authorities.

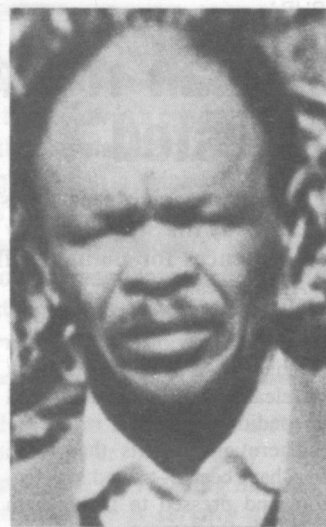
No action against those responsible for the killing was taken by the Transkei authorities until September 1986 when two security police officers were charged with murder. However, they were not taken into custody and only one appeared in court for formal remand. He was then released without being required to pay bail, to await trial at some future date.

Seven people were detained at the offices of the Transkei Council of Churches in Umtata on 31 October, including several staff members and people visiting the office when the police raided it.

The authorities have given no reason for the detentions but it is reported that they may be connec-

ted to the distribution in recent weeks of pamphlets advocating a boycott of the tenth anniversary of Transkei's nominal "independence".

Transkei was declared independent by the South African Government in October 1976 but has not been recognized internationally. Under the Transkei Public Security Act it is a treasonable offence to propagate the view that Transkei is still part of the Republic of South Africa. □



Synod Madlebe, detained without trial in South Africa's Transkei "homeland".

PARAGUAY

Peasants tortured and killed

There has been a significant increase in human rights violations during land conflicts in Paraguay, according to recent reports. Peasants involved in these disputes face arbitrary arrest and torture. Two have been killed.

One such conflict involved over 400 landless peasant families occupying land in *Barrero 6* near Juan E. O'Leary, Alto Paraná Department. On 23 August 1986, in a joint forces operation, over

the following day, five men remained tied to trees for at least four days before being transferred to Tacumbú Prison in Asunción. There they were charged with usurping private property, cattle



Peasants from *Barrero 6* pray for Francisco Martínez and Aurelio Silvero. Both men were killed during a previous eviction attempt on 11 July when soldiers from the military base at Juan E. O'Leary reportedly opened fire on the peasants.

300 troops and police arrived in the *Barrero 6* community with a judicial eviction order.

During the eviction about 20 men were detained, even though the peasants had reportedly agreed to withdraw peacefully from the area if they were given land elsewhere.

The detainees were allegedly beaten in the presence of their families, and then taken to a temporary military camp on the farm of the alleged owner of the disputed land. There they were tied to trees.

Although most were released

theft and issuing death threats. All were released during October and November and charges against them were dropped.

Several of the peasants detained claim that they were beaten with clubs and sticks by both police and soldiers who called them "bandits and communists". They said they were beaten several times a day and from time to time water or dirt was thrown over them.

AI has asked the Paraguayan Government to initiate a full and impartial inquiry into the killings and expressed its deep concern about reports of torture. □

PRC

Catholics arrested

Over 40 Catholics were arrested in Hebei province of the People's Republic of China in May 1986.

Several truckloads of armed police from the Public Security Bureau of Xinlue county, Hebei province, came to the village of Qiaozhai in nearby Gaocheng county at around midnight on 29 May 1986, according to information received by AI from various sources.

They reportedly arrested more than 40 Catholics, including five elderly priests and nuns and a large group of young male seminarians and female novices training in an unofficial seminary in Qiaozhai. After arrest, they are reported to have been put on trucks and taken at daybreak to the county town of Gaocheng.

The police are reported to have beaten the people on the trucks when they started to say prayers and sing hymns. It is also alleged that several young novices were isolated from the others, each tied with her arms around a tree, stripped naked and "insulted with dirty language" for several hours "so that their arms became paralyzed". Among those reportedly ill-treated in this way were two novices aged 18 and 20, Song Cuizhen and Wang Zhong.

The others arrested are reported to have included two Catholic priests, Father Liu Xilue and Father Gao, both aged over 75, and three elderly nuns, Sister Zhou, aged 88, Sister Song, aged over 70, and Sister Shi Shuqing, aged 78. Most of those detained are reported to have been released after interrogation, including Sisters Zhou and Song, but the two priests are reported to be still detained.

Catholics are also reported to have been arrested in Hebei province in June and July. On 25 June four seminarians were reportedly arrested in a village where they went to visit an old, ailing bishop, Zhou Shanfu, who was recuperating with a Catholic family there.

According to one report received by AI, the seminarians' belongings and the house were searched and religious objects and books were confiscated by Public Security officials.

No news has been received about the four seminarians since their arrest and they are believed to be still detained. □