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Human Rights in Czechoslovakia: New Horizons

A Report by a British journalist recently returned from Prague:

The change of Communist Party leadership in Prague, though it by no means heralds a reversion to parliamentary democracy of a West European kind, greatly alters the prospects for a restoration of civil liberties. The Action Programme drafted under the aegis of the new First Secretary, Alexander Dubcek, is a Party document for discussion and approval by the non-communist elements in Parliament as well. It calls for a firm legal underpinning of the rights of free speech, assembly, organisation and travel—including the right to stay abroad for long periods, or even indefinitely, subject only to restrictions on certain categories of specialists so as to avoid a “brain drain”. Prior censorship of publications, according to the draft document, is to be specifically banned, and it must be laid down what State (not Party) organs may forbid publication of certain types of information. Whatever the qualifications, these statements of intent make a stirring contrast with the immediately preceding period of toughness when the Party clamped down after the June Writers’ Congress in Prague. There is no need to question the sincerity of the group of “progressive communists” around Dubcek, for they were obviously reacting in many respects against their “conservative” predecessors—and one of those respects was the “violations of legality” which, it is now everywhere admitted, had so blotted the record of Czechoslovak governments following the 1948 takeover.

Rehabilitation Commission Established

Another point in the new Action Programme is the express determination to rehabilitate the victims of past miscarriages of justice, and so to complete a process which had been gingerly attempted several times, e.g. in 1956 and in 1963, but never properly carried out.

Who are the “victims” in question? Some communist statements have referred narrowly to the years 1952-54 as the years of “violations of legality”, a definition implying concentration upon the notorious trials of

the Slansky Group (11 death sentences) and a few others, where the accused were prominent communists who, in the hysterical inner-party atmosphere of that time, had fallen foul of their more powerful comrades' suspicions, instructions or ideological prejudice. The Rehabilitation Commission recently set up by parliament is charged with reviewing cases "between 1949 and 1954", which would bring in further large groups of men and women sentenced e.g. for association with the West, or for attempts to flee the country. But even this range is too restricted; there were certainly many students, for example, arrested in 1948 for political activity then considered "hostile to the working class". Again, the Supreme Court is already reviewing the secret trial of the former communist Minister of the Interior, Barák, who was arrested in 1962 and given a 15-year sentence "for embezzlement". And one of the most recent political trials took place in Prague only last summer when the young writer Jan Benes was sentenced to five years' imprisonment on charges of fraud and subversion—evidenced by his passing literary material and economic information to an émigré journalist. (Jan Benes was amnestied by ex-President Novotny the day before he stepped down from the function of head-of-state. His subsequent account of his arrest and interrogation has provoked rebuttals from the prosecution counsel.)

The "K 231" Society

There is a very wide spectrum of people in Czechoslovakia who can fairly claim to have been victims of injustice, along with some who may have only tenuous reasons for complaint but will no doubt attempt to climb on to the rehabilitation band-wagon. This danger is well known to the organisers of the "K 231" society who held their first public meeting, with an attendance of around four thousand, at the end of March. (The title refers to the number of the notorious Law for the Defence of the Republic under whose embracing terms many a treason charge was preferred against, for example, people who had merely sought to cross the frontier without a permit.) A temporary committee was elected under the chairmanship of Karel Nigrin, a Brno teacher and official in the Czechoslovak exile government in London during the last war, and other members include Gen. Palecek, a pre-war President of the World Youth Council and later head of the Czechoslovak military mission in Berlin, and the pre-1948 Prosecutor General, Frantisek Trzicky. All these men have served long prison sentences under communist rule, but are in no way actuated by partisan spirit; there were indeed many communists at their meeting, and a moving letter of welcome was read out from the Writers' Union president, Prof. Goldstuecker, himself both a communist and victim of the Stalinist purges. Their four-point programme is a simple one:

1. to help restore the rule of law in their country;
2. to assist the authorities in investigating cases, annulling wrongful sentences and as far as possible cancelling their effects;
3. to further the social claims of their members; and
4. above all to prevent a repetition of the injustices they suffered.

Revenge they specifically abjure, and they disclaim any ambition of acting as a political party; at a press conference their spokesmen said they regarded men like Dubcek as their friends and, since non-communists are still "beggars", must in any case rest their case in his party's hands. Meanwhile they appreciate the vast amount of work that awaits them in merely establishing the bare outlines of historical fact and present-day need; equally they appreciate the staggering size of the burden the State would be undertaking if it sought to recompense the victims of injustice—there may be some 30,000 to 40,000 of them alive—on any decent scale both for suffering incurred and for the loss of earning power even years after their release. Missed educational opportunity is another inestimable but real grievance.

Releasing Political Prisoners

But there are more pressing problems. For one thing, to secure the release of political prisoners still detained—between 3 and 4 per cent of prison inmates, according to a recent official statement. For another, to ensure that the legal personnel charged with reviewing “violations” of justice were not themselves involved in past violations and do not have a specific or general interest in justifying the decisions of their former colleagues. Some interested persons, such as Dr. Neuman who has for many years been Minister of Justice, have been brought to resign; the Vice-President of the Supreme Court, Dr. Brestansky, hanged himself last month in mysterious circumstances. It will no doubt be hard to find enough competent jurists with blameless records to handle the huge accumulation of rehabilitation claims with any speed; their blamelessness is after all itself a subject of current investigation, and the very principles on which reviews have to be based must still be worked out. There are cases where, *prima facie*, a person was sentenced without being guilty of anything like the purported offence; others where the application of the law was stretched beyond what would now be considered a reasonable interpretation; others where the law itself reflected concepts now rejected by the political leaders. A start has at least been made in annulling verdicts based on palpably warped evidence, where for example the documents themselves show that the police investigators were instructed to produce incriminating material. These cases are to come up for retrial.

Meanwhile the Ministry of Justice is preparing for parliament’s consideration a Bill to secure “rectification of unjust sentences passed in the period of the personality cult” and the outgoing Minister himself has declared that “it is imperative to exclude from the administration of the law those who had any part in unlawful sentences”. The new Czechoslovak government and the new organs of the Communist Party include at least four leading personalities who were themselves imprisoned in the ‘fifties; they, and parliament, should ensure that the process of rectification does not this time prove abortive.

Political Freedom in French-Speaking Africa

The Aftermath of Colonialism

The transition to independence of France’s colonial possessions in Africa took place in a completely different manner from that of the English territories. General de Gaulle’s coming to power was a factor of decisive importance in the process. In the referendum of September 1958, he offered all the African colonies—with the exception of Morocco and Tunisia which were already independent and Algeria which had to continue its fight for independence until 1962—the choice between complete, immediate independence and autonomy within a French community.

Guinea was the only colony to choose immediate independence. This was granted a month later, the French making an abrupt and total withdrawal from which the country has, even now, barely recovered. The remaining French colonies opted for autonomy as a first step towards gradual independence which became complete in 1960.

The ex-French colonies have a greater sense of common solidarity, both between themselves and with the former metropolitan power, than their English counterparts. A sense of personal loyalty to General de Gaulle, in consequence of his colonial policy, is a strong unifying factor. Furthermore, the French culture gained a much firmer hold than the English. The concept of “francophonie”—of a French-speaking association with a common culture—was first advocated by the President of Senegal, Leopold Senghor; he sees it as complementary rather than contradictory to his other famous concept of “negritude”. France gives more foreign aid relative to its national income than any other country; its aid is usually not conditional on the political orientation of the receiving country. Aid to Morocco has been stopped since the Ben Barka affair and it has not been given to Guinea since the referendum, but these are exceptional cases. Otherwise, the socialist countries—Mali, the Congo (Brazzaville) and

Algeria—all receive aid from France. To compensate for adverse effects of France's participation in the EEC, associate membership was negotiated for some of the former colonies.

Clearly France has done much to compensate for the atrocities of the colonial period. The consequences of colonialism can nevertheless be seen at every level of the economic and political structure of these countries. Political imprisonment must be regarded as one of the consequences, although it is of course widespread in other countries with a long history of self-government. But the government of a country which has lived under foreign domination is obviously less reluctant to repress its dissenting minority than one with a tradition of freedom and democracy.

Arrests and Amnesties

It is extremely difficult to form any estimate of the numbers of political prisoners in French-speaking Africa. Arrests are made less in accordance with a formal legal process than with the degree of political stability within the state. In many countries, a prisoner can be held without charge or trial for months and even years, solely on the grounds that he is considered dangerous to national safety. He may stay in prison until the government feels more secure in its popularity. Thus President Ahidjo of Cameroun, who has been widely congratulated for his record of political stabilities on the tenth anniversary of his coming to power, announced a partial amnesty of political prisoners in celebration of the occasion. In Niger, which now seems about to start its industrial development and which is rapidly becoming a centre for African international movements, President Diori has announced that all prisoners arrested before December 1966 are to be released. A partial amnesty has also been announced in Gabon, where the new President is adopting a rather more forward-looking policy than his predecessor.

These examples do not, however, represent a general trend towards liberalisation throughout French-speaking Africa. More publicity is of course given to releases than arrests: many prisoners in Gabon are still being held. Movements towards increased repression can be observed in other countries. In Chad, various signs of political unrest, such as the distribution of anti-government leaflets, have recently provoked a number of arrests. Moreover, measures of liberalisation do not necessarily indicate any permanent improvement: in Algeria, where some prisoners were released in the general mood of national solidarity during the Arab-Israeli War, a wave of arrest followed only a few months later, when the split within the country became apparent. Similarly the trend towards liberalisation in Cameroun may well be reversed.

To a degree, therefore, the extent of political imprisonment may be taken as an index of a government's lack of stability. And government instability seems to be the general rule in Africa where military *coups d'état* took place between 1963 and December 1967.

The Effect of Poverty

This kind of instability tends to be a reflection, in its turn, of economic instability. Economic problems are particularly acute in Dahomey, the scene of four *coups d'état* since independence. The most recent of these, in December 1967, was provoked by the government's imposition of a 25% tax on incomes in an attempt to go some of the way towards meeting a colossal budgetary deficit. The new government, once in power, found it was unable to revoke the tax. Dahomey's economy is typical of developing countries with a colonial past. With virtually no industry, it has not yet diversified its agriculture to any significant extent, remaining largely dependent on the single crop of palm oil. Though some other countries have embarked on industrialisation and agricultural diversification with varying degrees of success, the single crop economy is still predominant: thus Chad is still dependent on cotton, Senegal on ground-nuts, and so on. This kind of economy, which suffers both from climatic hazards and from falling world market prices, cannot provide a basis for a stable political regime.

The One-Party State

The example of Dahomey can be used to illustrate another phenomenon of African politics. While the new President, Lieutenant-Colonel Alley, has promised to restore civilian rule as soon as a constitution has been drafted and elections held, he has strongly recommended the one-party system as being the most "democratic". It is well known that this model is common in Africa, where the President, perhaps also his own Prime Minister and party leader, frequently stands as sole candidate at elections. The ensuing results tend to be predictable: this year, President Senghor of Senegal and President Sékou Touré of Guinea both gained over 90% of the votes cast in their countries' elections.

This system tends to allow no constitutional outlet for political divergencies and armed revolt may become the only means of expression open to opposition movements. Although the situation in Senegal is fairly good at present the presence of rebels has been reported in Guinea in the last month. The one-party system, designed to create monolithic stability, tends to have the reverse effect, particularly as unopposed governments seem more liable to internal divisions. When President Massemba-Debat dismissed his Prime Minister—taking over the office himself—he did so to remove the spearhead of left-wing opposition. It is significant that after Ben Bella had been deposed by his Minister of Defence in 1965, the attempted *coup d'état* of last December was led by the Chief of the Armed Forces and probably masterminded by the Minister of Labour.

It should not be assumed that the one-party system is necessarily more repressive than any other. In Morocco, although the left-wing Union Nationale des Forces Populaires is in fact legal, a number of its supporters are in prison and the sudden disappearance of its leader, Ben Barka, is likely to remain a mystery. There is a one-party system in the Ivory Coast, the only country which claims to have no political prisoners. In some countries, the system does eventually become more flexible. It is rumoured that the leader of the attempted *coup d'état* in 1962 in Senegal may soon be released. The military government of Upper Volta is considering the release of the former President Yameogo.

Opposition Movements

Opposition movements, when illegal, are forced into exile and national problems then take on an international dimension. The presence of rebels from Cameroun in the Congo (Brazzaville) places a strain on relations between the two countries. An interesting case is that of Niger and Ghana: members of Niger's leftist opposition party, like many other exiled movements, used Nkrumah's Ghana as the centre for their activities from which to launch border raids into their country. After the fall of Nkrumah, however, General Ankrah extradited the rebels who were sacrificed to the establishment of good relations between the two states. These prisoners will, however, now be released in the terms of the recent amnesty.

A particular factor encouraging disunity in African countries is the problem of tribalism. National frontiers were drawn by colonial powers regardless of ethnic or historical considerations and any sense of national identity is therefore outside the framework of tradition. Though some countries, such as Niger, appear to have solved the problem, for the time being at any rate, tribal disputes are still endemic in many parts of Africa.

Apart from purely tribal problems, economic disparities between geographical regions are another cause of dissension. In almost every country, the coastal region is privileged in comparison with the inland region because it is more fertile, for example, and the disparity is further aggravated by the colonial system which was geared to the interests of the export market. To take again the example of Dahomey, rates of literacy are substantially lower in the north than in the south. It is only the rather more developed countries which have begun to solve this problem: Tunisia is about to launch a programme to stimulate growth in the south of the country.

A study of political imprisonment in French-speaking Africa points to the conclusion that repression is an inevitable result of economic and political

underdevelopment. A government faced by almost insoluble financial problems, with no institutional outlet for minority opinion, considers itself unable to grant its people freedom of expression. The most hopeful sign at present for the recognition of human rights is the trend towards liberalisation which follows economic progress.

ROSAMUND LINELL

Ukrainian Jurists in Prison

The Ukraine lies in the south-west corner of the USSR and has a population of over forty-five million people. The main language is Ukrainian, a Slav language with similarities to Russian, but only understood with difficulty by a Russian-speaker. The relationship between this country and Russia is a complex and crucial issue and a strong separatist movement has existed in both Tsarist and Soviet times. Recently we received information about a constitutional secessionist movement in the Ukraine whose members were arrested in 1960. They were led by two jurists from L'viv, Lev H. Lukyanenko aged 41 and Ivan O. Kandyba, aged 38.

The information is contained in a letter written in the Mordovian labour camps by Ivan Kandyba and addressed to the First Secretary of the Ukrainian Communist Party Mr. Shelest. It begins with the text of the verdict against Kandyba and his friends. "... Lukyanenko made criminal contacts with the defendant S. M. Virun, who was also anti-Soviet in his views, and together in November 1959 they planned the formation of a nationalist organisation—the Ukrainian Workers and Peasants Union (UWPU)." At the first meeting of this organisation in November 1960, Lukyanenko, Kandyba, Virun and another man Vasyl S. Lutskiv "agreed that the final goal of the UWPU was the severing of the Ukrainian SSR from the USSR. Slanderous remarks were made against Marxist-Leninist theory." In this way they "committed treason against the fatherland—the USSR". The sentences were: Lukyanenko—death by firing squad (later commuted to fifteen years imprisonment); Kandyba—fifteen years labour camp; Virun—11 years labour camp; Lutskiv and another man, O. S. Libovych—ten years labour camp.

Soviet Policy Criticised

Kandyba defends himself and his friends by asserting that the UWPU draft programme sought to outline from a Marxist viewpoint how the Ukrainian people should best evolve towards Communism. It makes sharp criticisms of Soviet policy past and present—notably the mass repression and deportation from the Ukraine in the 1930s, curtailment of the rights of the trade unions and oppression of the peasantry, "whose position does not differ at all from the position of the serfs of the 17th-19th centuries". Violations of the Soviet nationalities policy are listed, notably the killing of many Ukrainians prominent in the field of art and literature during the personality cult period, the domination of the economy by Moscow, the failure to accord the Ukrainian language adequate official status. The UWPU programme concludes that the Ukraine did not have the opportunity for normal social, political and cultural development within the framework of the USSR and that it should therefore invoke article 17 of the Soviet Constitution and secede from the Soviet Union. "Should this idea be realised, then the political order of this independent Ukraine should be Soviet and the economic order, socialist. . . . The means for achieving this end are peaceful and constitutional."

During investigation the prisoners were threatened and called "bandits, cut-throats, rabid nationalists" by KGB (security police) officers who boasted of their ignorance of Ukrainian, saying that they did not want to "spoil the Russian language with a dog's dialect". Threats and pressure were successful in the case of Lutskiv, who signed a statement admitting guilt but who was later denied the favours offered him and finally confined to a camp mental ward, where he still is. The trial in 1961 was held behind

closed doors in contravention of Soviet law, for only trials where government secrets are involved can legally be held in secret. An appeal against the sentences was instituted on the grounds that the offence had been misnamed—the accused being guilty of anti-Soviet agitation and propaganda, for which the maximum sentence is seven years labour camp, and not treason which carried the highest penalty. However the KGB, alarmed at the serious situation in the country at that time, intervened and the judgment was not altered. Kandyba does refer to another trial at that time after which two young labourers Ivan Koval and Bohdan Hrytsyna were shot for having formed a “Ukrainian National Committee”.

Labour Camp Conditions

Kandyba's letter ends with a description of the harsh regime in the Mordovian camp where he and his friends are confined. The food is poor and inadequate for the work that is expected of them. Food parcels from their relatives are not allowed, nor are any foreign magazines, even those from the People's Democracies—“thus we are almost completely isolated from the world”. Kandyba mentions those Ukrainian intellectuals who were arrested in 1965 and who have joined him in the camp. They had the good fortune to be sentenced (though equally unlawfully behind closed doors) in the post-Khrushchev period when protest against Russian hegemony came to be counted as “anti-Soviet agitation and propaganda” and not as treason.

Lenin favoured independence for national minorities and gave his blessing when Finland and Poland asserted this right after the Revolution in Russia. In the Ukraine a separate republic was set up, but Lenin's goodwill did not prevail and the Bolsheviks overran the country. It is not surprising that nowadays the Ukrainians should look across the frontiers at their brothers in the Socialist countries, who appear to enjoy considerable freedom in the conduct of their national affairs, and wonder why they cannot do the same. It seems, however, unlikely that Moscow would ever give up the Ukraine with its rich soil, important strategic position and strong emotional significance for Russians, whatever the feelings of the Ukrainian population. Their nationalism is “bourgeois” and cannot enjoy the support generously given to other nationalist movements in the world, which in their special context count as “national liberation struggles”.

BRUCE LAIRD

The Report on Torture in Greece

Our Second* Report on the torture of political prisoners in Greece has received wide publicity all over the world. It speaks for itself and calls for no elaboration in these columns. However, it is necessary to clarify one point of possible confusion: the publication by the Greek Government of a Report by the International Red Cross has led to the suggestion that its findings are in conflict with our Report.

In fact there is no conflict for the two Reports are about different matters. The AMNESTY Report is concerned only with the treatment of prisoners under interrogation. This interrogation has taken place at police stations in Athens, Piraeus, Aghiou Spiridonos, Aegaleo, Plateia Amerikis, Kypseli, on board the Royal Hellenic Naval vessel, ELLI, and at the military camp at Dionysos. The Report presented prima facie evidence that torture had been used and named individual prisoners who had admitted to being tortured.

The International Red Cross Report on the other hand deals with living conditions of prisoners who are being held for long periods, but not interrogated, in detention camps on the islands of Yaros and Leros, in four hospitals in Athens and one hospital on Syros.

* Both AMNESTY Reports on Greece are available from the International Secretariat (price: 1/- each).

AMNESTY INTERNATIONAL has never suggested that interrogation or torture took place in the establishments covered by the International Red Cross in the one Report made public following AMNESTY's own investigation.

International Conference and Assembly

An international conference on the elimination of torture and ill-treatment in prisons, will take place in Stockholm on August 23rd, 1968.

The International Assembly of AMNESTY INTERNATIONAL will take place in Stockholm on August 24th and 25th, 1968.

Members who wish to attend should write for further details, to Martin Enthoven, General Secretary.

Opposition Suppressed in Singapore

Singapore has just held a general election, in which all the seats were won by the ruling People's Action Party. The main opposition party, the Barisan Sosialis (Socialist Front) decided not to contest the election on the grounds that it could not be a fair one under the present conditions. Although the Barisan would almost certainly have lost even a perfectly fair election, there is something in their accusation. The press is not censored, but publications have to be licensed annually, and editors are afraid to offend the authorities lest their licences should not be renewed. The Communist Party is illegal and it is an offence to possess subversive, that is communist, literature. And the government has, and uses, powers of detention without trial.

There are more than 300 political prisoners in Singapore, the majority serving prison sentences for unlawful assembly or contempt of court. Although these are political prisoners, in the sense that they are imprisoned as a result of actions motivated by hostility to the government, none has been adopted as a prisoner of conscience, since they had all, in effect, courted arrest. It is possible that there may soon be prosecutions for inciting electors not to vote (voting is compulsory) and the possibility of adopting such cases will be examined carefully.

Prisoners of conscience in Singapore are usually detained under the Preservation of Public Security Ordinance 1955. A few have been held since before Singapore became independent on joining the Federation of Malaysia in 1962. About 120 were detained in February 1963, during the "confrontation" with Indonesia. The Indonesian government is now friendly, and no question of danger of invasion now exists. Yet many of the detainees of 1963 are still in prison and they must give an undertaking that they no longer hold left-wing views before the government will release them.

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