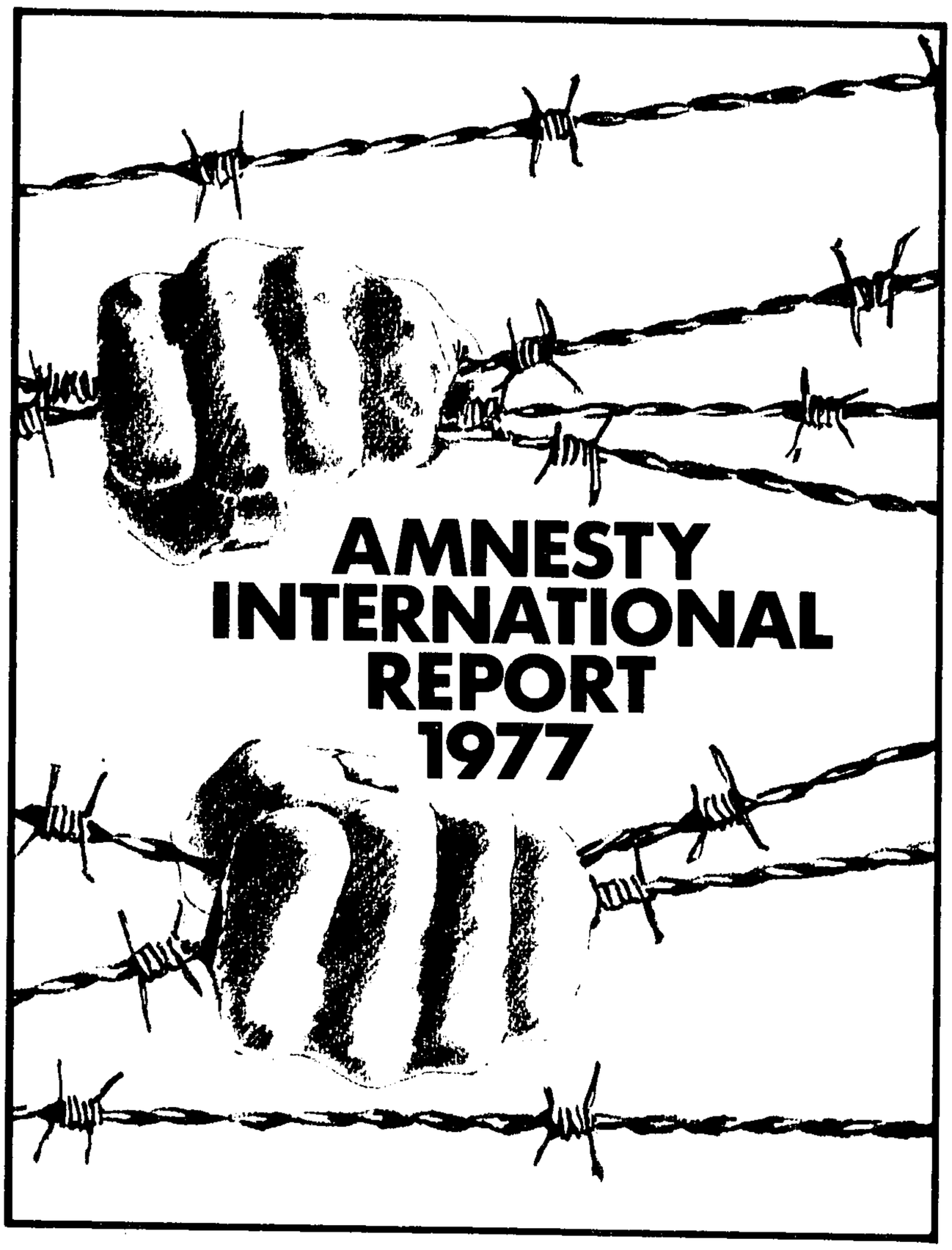
AMNESTY
INTERNATIONAL
REPORT
1977

AMNESTY INTERNATIONAL REPORT 1977

AMNESTY INTERNATIONAL is a worldwide human rights movement which is independent of any government, political faction, ideology, economic interest or religious creed. It works for the release of men and women imprisoned anywhere for their beliefs, colour, ethnic origin, language or religion, provided they have neither used nor advocated violence. These are termed "prisoners of conscience".

AMNESTY INTERNATIONAL opposes torture and the death penalty in all cases and without reservation. It advocates fair and early trials for all political prisoners and works on behalf of persons detained without charge or without trial and those detained after expiry of their sentences.

AMNESTY INTERNATIONAL seeks observance throughout the world of the United Nations Universal Declaration of Human Rights and the UN Standard Minimum Rules for the Treatment of Prisoners.

AMNESTY INTERNATIONAL has 2,000 adoption groups and national sections in 35 countries in Africa, Asia, Europe, the Middle East, North America and Latin America and individual members in a further 74 countries. Each adoption group works for at least two prisoners of conscience in countries other than its own. These countries are balanced geographically and politically to ensure impartiality. Information about prisoners and human rights violations emanates from Amnesty International's Research Department in London.

AMNESTY INTERNATIONAL has consultative status with the United Nations (ECOSOC), UNESCO and the Council of Europe, has cooperative relations with the Inter-American Commission on Human Rights of the Organization of American States, and has observer status with the Organization of African Unity (Bureau for the Placement and Education of African Refugees).

AMNESTY INTERNATIONAL is financed by subscriptions and donations of its worldwide membership. To safeguard the independence of the organization, all contributions are strictly controlled by guidelines laid down by AI's International Council, and income and expenditure are made public in an annual financial report.

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PREFACE

by Thomas Hammarberg, Chairman, International Executive Committee

As many as 116 countries are mentioned in this publication. In most of them serious violations of human rights have been reported. And yet this survey is far from complete—even taking into account the fact that Amnesty International's work in the field of human rights relates only to prisoners. Amnesty International does not yet have the resources to undertake the comprehensive research that is needed on all countries.

It is not only the number of countries where violations have occurred which is alarming. The positive elements in this report are few: there have been substantial releases of political prisoners in certain countries but these are outweighed by deteriorating situations in other parts of the world.

In some Latin American countries security forces and para-military groups have been used as instruments for a policy of political murder. There, and in other parts of the world, the system of justice no longer functions in practice. Emergency laws have been misused to legalize brutal repression – even when by objective standards there are no emergencies.

Government-sanctioned torture is still practised in a horrifying number of states, in spite of the newly adopted United Nations declaration against all forms of torture. Several regimes have introduced the death penalty for new crimes and the rate of execution is still high, especially in Africa and Asia. Some governments still retain corporal punishment such as flogging or cutting off hands.

In many countries, especially in Asia, a system of long-term detention has been developing. Prisoners are kept in poor prison conditions year after year and the authorities do not grant them the basic right to a trial. Strictly speaking, this means that innocent people are deprived of their freedom for five years, 10 years or even more. In other countries where political trials have taken place the defendants have been denied the opportunity for a proper defence. The laws themselves have in some cases constituted appalling violations of the *Universal Declaration of Human Rights*, making

a mockery of justice. The trial procedures have been such that they could only serve the interest of the rulers.

Some would consider certain of these violations of human rights worse than others. However, Amnesty International does not presume to rank governments or countries or to single out any regime or group of regimes as "the worst on earth". Even if the organization wanted to establish such a list of violators it could not. Lack of detailed information on some countries in itself would be an obstacle. But what remains of overriding importance in its strictly country-by-country approach is that the techniques of repression and the impact of these techniques vary. There are differences not only in number of victims, but also in methodology, objectives, duration and both short-term and long-term consequences. In some countries regimes allow para-military groups to kidnap, torture and assassinate political activists; in others prisoners are kept in detention for years without trial. In some police stations torture is carried out with electric shocks; in others with psychological methods. In some prisons the inmates are refused all communication with their families; in others they are starved. There is absolutely no point in trying to judge which measures are categorically "better" or "worse" than others. Similarly, it would be a misleading exercise to grade or rank regimes. In the end, what matters is the pain and suffering the individual endures in the police station or in the cell. The depth of that can never be catalogued by outsiders.

The information Amnesty International has obtained shows that human rights are violated in a majority of countries all over the world. All major regions, all political or ideological blocs are involved—in spite of the *Universal Declaration of Human Rights,* adopted by the United Nations in December 1948. The Declaration states unequivocally that torture is unacceptable—and yet torture persists with the knowledge, and even support, of the governments. The Declaration also affirms the right to life and states that no one shall be subjected to cruel, inhuman or degrading punishment—and yet more than a hundred countries retain the death penalty. This double standard is even more obvious if one studies the implementation of the legally-binding international covenants on human rights, adopted by the UN General Assembly in 1966 and which have now been in force more than a year. Even governments which have ratified these covenants are breaching them. This is international hypocrisy; it can only serve to undermine people's respect for international declarations and institutions.

Not only governments but also certain political organizations outside government control violate human rights today. Individuals

have been taken as prisoners or hostages, torture and executions have been carried out in the name of different political causes. Such acts are deplorable—they are no more acceptable than repression by governments.

Amnesty International's independence when challenged by these issues is not only financial and political. It does not take a stand in any ideological struggle nor support or oppose any party or religion. In all these respects Amnesty International is impartial. Its task is to see that certain basic rules are adhered to by governments and others, rules that make it possible for people everywhere to express their opinions without fear. These are set down in the *Universal Declaration of Human Rights* and ought not to be controversial—but, in fact, they are. Amnesty International has been accused often during the past year by a few governments of having interfered in internal affairs or having, at least indirectly, supported the opposition. This allegation is neither new nor surprising—in countries where the respect, or lack of respect, for human rights is a burning political issue, working for Prisoners of Conscience or for the abolition of torture will obviously be irritating to some. But this cannot be a reason for Amnesty International to abstain from taking action on any such country—on the contrary. For the individual victims it is of great importance that there are international and independent voices that can and will speak out. This is all the more important as the implementation of internationally agreed rights is still the Achilles' heel of the United Nations and other inter-governmental bodies dealing with human rights. In fact this is a perfect example of a situation where a non-governmental organization has an important role to play—and Amnesty International is such a movement.

Amnesty International does not seek conflicts with governments, it tries to convince and, if an opportunity arises, even to assist to the benefit of human rights. Governments are invited to comment on its reports or on allegations received by the organization. But it never compromises its cause; its silence cannot be bought.

The movement pays much attention to balanced and accurate reporting of facts. Every major initiative is based on thorough research at the International Secretariat in London. If proven wrong on any piece of information, Amnesty International is prepared and willing to correct this immediately.

The organization also limits itself to a very specific mandate. Amnesty International is not a movement embracing all good causes; it restricts itself to assisting prisoners. The well-known "adoption" system is used only for Prisoners of Conscience—those political prisoners who have not used or advocated violence. It is also deeply

involved in combatting torture and the death penalty, and in working for fair trials and improved prison conditions. This focus certainly does not mean that Amnesty International downgrades other basic rights, such as the social and economic ones. These are often related to the political and civil rights. Neither would Amnesty International attempt to create a conflict between civil and political rights on the one hand and socio-economic rights on the other. That approach would be false. The *Universal Declaration* is quite clear in stating that both are needed. Often they complement one another: when those deprived of their socio-economic rights cannot make their voices heard, they are even less likely to have their needs met. If a people is deprived of one right its chance of securing the others is usually in danger. Amnesty International keeps this in mind when it maintains its prisoner orientation, aware at the same time that it is a movement which has chosen a deliberate priority. This is the way to achieve practical results.

INTRODUCTION TO AMNESTY INTERNATIONAL

by Martin Ennals, Secretary General

Amnesty International is an international non-governmental human rights organization which works for prisoners. Its objectives are defined in its statute as:

> Considering that every person has the right freely to hold and to express his convictions and the obligation to extend a like freedom to others, the objects of Amnesty International shall be to secure throughout the world the observance of the *Universal Declaration of Human Rights*, by:
>
> a. irrespective of political consideration working towards the release of and providing assistance to persons who in violation of the aforesaid provisions are imprisoned, detained, restricted or otherwise subjected to physical coercion or restriction by reason of their political, religious or other conscientiously held beliefs or by reason of their ethnic origin, colour or language, provided that they have not used or advocated violence (hereinafter referred to as "Prisoners of Conscience");
>
> b. opposing by all appropriate means the detention of any Prisoners of Conscience or any political prisoners without trial within a reasonable time or any trial procedures relating to such prisoners that do not conform to recognized norms to ensure a fair trial;
>
> c. opposing by all appropriate means the imposition and infliction of death penalties and torture or other cruel, inhuman or degrading treatment or punishment of prisoners or other detained or restricted persons whether or not they have used or advocated violence.

Amnesty International is a membership organization and is financed by its members. Its accounts are published annually. There are National Sections in 35 countries and individual members in 74 countries. The organization was founded in 1961 in London which remains its headquarters. The International Secretariat employs approximately 110 people mostly engaged in research or in action on the basis of research findings into political imprisonment and cases of individuals imprisoned because of their religious or political beliefs.

Amnesty International is based on the principle of political impartiality in the field of human rights, and its members work actively for the release of prisoners in all parts of the world and from all types of political background and society. It is within the framework of defined, recognized and accepted international standards that Amnesty International works.

Amnesty International is totally opposed to torture and the death penalty. Since 1973, the Campaign for the Abolition of Torture has been supported by many governments and other international organizations and there have been increasingly strong resolutions and declarations from the United Nations about torture, most of which have been drafted after consultation with Amnesty International. In 1977, a special report was prepared on the subject of the death penalty which will be published in 1978.

Amnesty International's opposition to torture and the death penalty is absolute and embraces all cases regardless of the nature of the offences involved. However, the organization demands the liberation of political prisoners only when they have not themselves advocated or used violence. To detain someone for holding or expressing opinions, or because of race or colour, is contrary to the *Universal Declaration of Human Rights* and against the *International Covenant on Civil and Political Rights,* which was prepared by the United Nations and came into effect in 1976 after ratification by the requisite 35 member states of the UN. Not all member states of the UN have yet ratified the covenants, and part of Amnesty International's program is to seek and campaign for further ratifications.

One of Amnesty International's concerns is still the detention of people for long periods without trial. There are thousands of prisoners in many countries where the citizens' freedom is removed without the guarantees of a fair trial, impartial judgement, or the right of defence. These human rights are included in international agreements and declarations and written into national constitutions, but are often ignored by governments, either for reasons of national security or a national emergency, or simply because of inadequate legal and judicial facilities. Detention without trial is also undoubtedly used by some governments to control opposition elements, regardless of national interest and human rights. The right to be considered innocent until proved guilty is blatantly ignored even by some of those governments which have ratified the UN Covenant; when this happens, Amnesty International tries to bring the matter to the attention of both the governments concerned and world opinion, when there is no other way of helping prisoners.

When people are in prison it is often their families who suffer

most. Some of the suffering may be alleviated by financial or other forms of relief. While relief is not a prime part of Amnesty International's program it has become a definite part of the organization's work. Individuals and groups help with relief; so does the International Secretariat in London, which itself distributed some £125,000 relief during the year under review.

Amnesty International has consultative status B with the UN Economic and Social Council (ECOSOC) and is recognized in the appropriate manner by UNESCO, the Organization of American States, the Organization of African Unity and the Council of Europe. Amnesty International is able to submit information to each of these organizations about the infringements of human rights, by well researched and impartially presented reports, and can confirm allegations of such infringements. By virtue of its observer status on the OAU Bureau on Placement and Education of African Refugees, Amnesty International has been able to help in a small way to maintain it and to draw attention to the plight of refugees who are actually also in prison.

Amnesty International works closely with other international non-governmental organizations, particularly with those directly concerned with law and human rights. It has been elected to the Bureau of international non-governmental organizations in consultative status with ECOSOC and on to the similar body of organizations in consultative status with UNESCO. This collaboration with others is crucial to Amnesty International's efforts to interest other bodies in the civil rights and particularly the imprisonment anywhere in the world of their own members for political or professional reasons. The positive effect of international trade union or professional solidarity has long been recognized and Amnesty International attempts to provide the information upon which international action can be based.

Amnesty International is not always regarded favourably by the governments which it criticizes. However many governments and governmental organizations such as the UN use Amnesty International reports to obtain information about countries where human rights issues are being considered. From time to time the organization publishes a selection of criticisms of itself including public statements, press reports and cartoons from all over the world.

Amnesty International's methods and techniques are laid down in the Statute. The basis is the adoption of individual Prisoners of Conscience by groups of Amnesty International members who write letters to governments, seeking the release of the prisoner for whom they are working. Approaches may also be made to detaining authori-

ties and support sought from groups within and outside the country concerned. Amnesty International members do not work for prisoners in their own countries and Amnesty International staff members and groups are not permitted to process information about their own countries. The international nature of human rights responsibility, as evidenced by the *Universal Declaration of Human Rights* and the international covenants, is maintained throughout the work of the organization itself.

Each Amnesty International group fits into a national and international structure and is indirectly represented at the annual International Council meetings which decide on the program and policy of the organization for the coming year. The Council also elects the International Executive Committee which is responsible with the Secretary General for the day-to-day running of the International Secretariat and for decisions affecting policy. There are 2,000 Amnesty International groups but as the membership of each group varies from place to place it is difficult to know exactly the individual and corporate membership of the organization as a whole. The most recently quoted figure is in the region of 150,000 members, but this is probably an under estimate.

1978 is the 30th anniversary of the UN's adoption of the *Universal Declaration of Human Rights* and the UN has agreed that the anniversary's theme shall be education about human rights. Amnesty International has therefore been considering how it can contribute in 1978 and afterwards in making people more aware of their human rights and ways of safeguarding them.

The organization was established in Europe with its headquarters in London, and English has been one of the main working languages. The tremendous task of translation into Amnesty International's family of languages has been borne by the National Sections in northwestern Europe. A number of the smaller National Sections whose languages are not used internationally have shouldered the task of making Amnesty International's information available in these languages through either translation of the organization's *Newsletter* or selected publications. The establishment of a publications service in Asia (Sri Lanka) in 1976, the development of other language services for Latin America, and the distribution of Amnesty International's information in Africa have led to the broadening of the organization's cultural and linguistic base. This development is progressing most encouragingly. It is the part of the organization's program particularly pertinent to stimulating awareness of human rights.

Amnesty International has grown rapidly in recent years but its character: impartiality, independence, self-sufficient financing and

integrity have not changed. More is now known about the persistent gross violations of human rights in many different parts of the world. These violations are no longer considered merely the business of the national governments concerned. Becoming aware of the need for international rules to safeguard the individual's rights is the first step towards achieving international machinery for maintaining them. Action by individual governments will never be sufficient. As international responsibility in this field becomes increasingly recognized so the role of people and non-governmental organizations becomes correspondingly more important. By providing information, developing international awareness of human rights and taking action on behalf of Prisoners of Conscience and those sentenced to death or subjected to torture, Amnesty International has an important, increasingly recognized role in the world community.

INTERNATIONAL LAW AND RELATIONS WITH INTERNATIONAL ORGANIZATIONS

United Nations (UN)

Amnesty International in 1976-1977 has continued to devote a substantial amount of its resources to cooperation with the United Nations, and has tried to take full advantage of the opportunities available to it as a non-governmental organization (NGO) in consultative status (category B) with the Economic and Social Council (ECOSOC) of the UN. A non-governmental organization with this status is permitted to submit information and to express its views to the UN on matters within its field of expertise. In the past year Amnesty International has made a number of submissions and statements to various UN bodies on matters of mutual concern. It has also been represented at, and participated in, the regular UN meetings in New York and Geneva which have had a bearing on the human rights concerns within its mandate. These have been:

- the Committee on Crime Prevention and Control, June 1976;
- the Sub-Commission on the Prevention of Discrimination and Protection of Minorities, August 1976;
- the General Assembly, September-December 1976;
- the Commission for Social Development, January 1977;
- the Commission on Human Rights, February and March 1977;
- the Human Rights Committee, March 1977;
- ECOSOC, April and May 1977.

During the past year there were a number of developments at the UN in areas important to Amnesty International's human rights concerns. In March 1977, for example, the Human Rights Committee met for the first time. Established under the terms of the *International Covenant on Civil and Political Rights* which came into force in March 1976, this committee consists of 18 human rights experts elected in their individual capacity by the ratifiers of the Covenant. These experts have two major tasks before them—examination of the obligatory reports submitted by the states party to the

Covenant on the measures they have taken to implement the rights contained in the Covenant, and consideration of complaints from individuals from those states parties which have also accepted the Optional Protocol to the Covenant. Since at the time of writing only 44 countries have agreed to be bound by the Covenant and 16 have accepted its Optional Protocol, Amnesty International has given high priority to promoting further ratifications of the UN Human Rights treaties, including the *Optional Protocol to the Covenant on Civil and Political Rights.*

Certain steps were also made during this past year at the UN towards securing greater international protection against torture and other cruel, inhuman and degrading treatment or punishments. Amnesty International particularly welcomed the addition of a new rule 95 to the UN *Standard Minimum Rules for the Treatment of Prisoners* (SMRTP) adopted by ECOSOC in May 1977. This rule extends most of the protective provisions afforded by the rules to persons detained or imprisoned without charge. Amnesty International has long urged the adoption of such a measure, since in its experience it is this category of detainees, in particular, which is the most vulnerable to torture.

In 1975 and 1976, in resolutions adopted under the item "Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment", the UN General Assembly called for the development of further international standards by various UN bodies. The Committee on Crime Prevention and Control was requested to formulate a draft code of conduct for law enforcement officials and the Commission on Human Rights to elaborate a draft body of principles for the protection of all persons under any form of detention or imprisonment. The World Health Organization (WHO) was invited to prepare a code on medical ethics relevant to the protection of persons against torture and other cruel, inhuman or degrading treatment or punishment. In response to the General Assembly's request, the Committee on Crime Prevention and Control has formulated a draft code of conduct for law enforcement officials which has been transmitted through the Commission for Social Development and ECOSOC to the forthcoming XXXIII session of the General Assembly for consideration and adoption. Amnesty International has for some time voiced the need for the rapid development and adoption of such international standards. (See, for example, the Amnesty International Publication *Professional Codes of Ethics,* October 1976.) It has also offered concrete suggestions to the relevant UN bodies regarding their content, based on Amnesty International's accumulated information on the practice of torture. It is gratifying to note that some

of these were reflected in the draft code of conduct for law enforcement officials.

Since 1974 the Sub-Commission on the Prevention of Discrimination and Protection of Minorities (hereinafter referred to as the Sub-Commission) has been reviewing annually developments in the field of the human rights of persons subjected to any form of detention or imprisonment. Amnesty International made two submissions relevant to this question in advance of the 29th session of the Sub-Commission in 1976. It submitted information drawn from its published material concerning a number of issues which had been named by the Sub-Commission as deserving of immediate and particular attention. These included: the necessity of impartial investigation into alleged illegal practices against arrested and detained persons; the lack of judicial control over arrest and detention procedures; the rôle of secret police and para-military organizations; the circumstances of the families and relatives of arrested and detained people. In this statement Amnesty International drew particular attention to the impact of "states of emergency" on the human rights of prisoners and detainees and urged the Sub-Commission to consider giving greater attention to this question. At its 29th session the Sub-Commission resolved to give specific consideration at its next session to this question as well as to the necessity of judicial and administrative supervision over the arrest, detention and interrogation practices of secret and other police and military authorities.

Amnesty International has been consistently concerned to undertake human rights actions recommended by the UN and to provide this body with specific information on the violations of human rights that fall within its mandate. Thus Amnesty International has been especially active on the situation of human rights in southern Africa, a major concern of the UN. In May 1976, at the invitation of the Special Committee against *Apartheid,* Amnesty International attended the International Seminar on the Eradication of Apartheid and in Support of the Struggle for Liberation in South Africa, held in Havana, Cuba. Its representative delivered a comprehensive address on the problem of political imprisonment in South Africa. In May 1977, Amnesty International attended the International Conference in Support of the Peoples of Zimbabwe and Namibia, held in Maputo, Mozambique. Its representative there was permitted informally to bring to the attention of the participants Amnesty International's material on human rights violations in these two countries.

In July 1976, Amnesty International testified before the *Ad Hoc* Working Group of Experts on Southern Africa of the Commission on Human Rights, and at the same time presented the Group with

its Briefing on Rhodesia/Zimbabwe together with other relevant documentation. The testimony incorporated human rights violations within the mandate of Amnesty International in South Africa, Namibia and Rhodesia/Zimbabwe and subsequently found full reflection in the Working Group's report. Amnesty International later also circulated this testimony to Amnesty International's 35 National Sections who were instructed to bring to wide public awareness the facts disclosed. The UN Centre against *Apartheid* reprinted Amnesty International's material dealing with South Africa in its Notes and Documents series, as did the UN Office of Public Information in its Autumn 1976 issue of the magazine *Objective Justice.*

In April 1977, Amnesty International presented its Briefing on Namibia to the UN Commissioner for Namibia, and was pleased to learn of its re-publication in the Bulletin issued by his office. At the same time the Briefing Paper was personally sent to most of the ambassadors of the member states at the UN requesting them to make inquiries of South Africa, directly and through the appropriate UN organs, concerning the situation of persons detained in Namibia on grounds of security.

Amnesty International was gratified to learn of the decision of the 33rd session of the Commission on Human Rights which asked the *Ad Hoc* Working Group of Experts on Southern Africa, in conjunction with the Special Committee against *Apartheid,* to examine the treatment of prisoners in South Africa, Namibia and Zimbabwe and to devote particular attention to the recent deaths and ill-treatment which had occurred. In June 1977, Amnesty International was preparing a substantial submission on this matter for presentation to the *Ad Hoc* Working Group at its London session in August.

The human rights situation in Chile has been another matter of serious concern to the UN, and Amnesty International has consistently submitted to UN bodies its information on this country. In August 1976, in an oral statement to the *Ad Hoc* Working Group to inquire into the situation of human rights in Chile, Amnesty International drew particular attention to the problem of disappearances in Chile. A formal written statement submitted to the Group several days later similarly focussed on disappearances, but also drew attention to secret detention centers in Chile which are closely connected to the problem of disappearances. In March 1977, Amnesty International submitted to the Chairman of this Working Group a detailed dossier on specific cases of disappeared persons, prepared for Amnesty International's worldwide campaign on disappearances in Chile.

In May 1976, Amnesty International wrote to the UN Secretary General communicating the continuance of a consistent pattern of

gross violations of human rights in Brazil and lodged an appeal through the Sub-Commission to the Commission on Human Rights to conduct a thorough study or investigation. The proceedings at the UN relevant to communications of this nature take place in closed session and are confidential.

At its 29th session in August 1976, the Sub-Commission adopted a resolution which recommended that the Commission on Human Rights make a thorough study of the human rights situation in Uganda. This prompted Amnesty International to prepare a statement of the facts as it knew them for the 33rd session of the Commission in 1977. The statement was circulated by the Secretary General of the UN. It presented reliably attested information of a consistent pattern of gross violations of human rights in Uganda, and proposed the Commission act favourably on the Sub-Commission's recommendation. The Commission, after debate, chose to consider the matter in private session. According to an official statement by the Foreign Secretary of the United Kingdom, it was decided to keep the situation "under review".

Amnesty International also fully associated itself with expressions of concern voiced by members of the Sub-Commission at the 29th session regarding the plight of Latin American refugees and appealed to UN member States to offer them refuge and resettlement. The Sub-Commission also described itself as deeply concerned at reports from which it appeared that basic human rights and fundamental freedoms were at present in jeopardy in Argentina and expressed the hope that international standards of human rights would be respected for the benefit of all now deprived of their human rights and fundamental freedoms.

In February 1977, Amnesty International also submitted to the 33rd session of the Commission on Human Rights, on behalf of 23 non-governmental organizations, a statement on conscientious objection to military service. The statement urged the Commission to adopt a proposal submitted at its previous session by Austria, Costa Rica and the Netherlands, whereby the UN and its agencies, member governments and non-governmental organizations would be requested *inter alia* to promote recognition of objection to military service on the grounds of conscience or profound moral conviction. The Commission did not find time to discuss the matter, but retained it as an item on the draft agenda for its 34th session to be considered "with appropriate priority". The question of conscientious objection has been on the Commission's agenda since 1971.

In May and June 1977, Amnesty International submitted to the UN in advance of the 30th session of the Sub-Commission, communi-

cations on Ethiopia, Indonesia, Pakistan, Uganda and Argentina.

Amnesty International during the past year was also represented at two diplomatic conferences of concern to the UN. The first was the Conference of Plenipotentiaries on Territorial Asylum, held in Geneva, 10 January-4 February 1977. Amnesty International sought adoption of various proposals relevant to its mandate that had been formulated by a non-governmental organization working group on the topic. Many of its National Sections had approached their governments before the Conference to secure support for these proposals. Many of the non-governmental organization proposals were provisionally adopted in committee, though certain provisions were not in accord with non-governmental organization suggestions. The Conference itself was not able to complete its work in the time allotted by the General Assembly. It did, however, formulate a request to the Assembly to reconvene the Conference at an appropriate time. The second such conference attended by Amnesty International was the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, convened by the Swiss Government, April-June 1977. (As a member of the non-governmental organization Working Group on Humanitarian Law, Amnesty International had also attended the previous sessions.) The Conference adopted two additional protocols to the Geneva Conventions of 12 August 1949 for the protection of Victims of War. Certain non-governmental organization proposals were reflected in the final texts, including safeguards for imprisoned or detained persons in armed conflicts.

United Nations Educational, Scientific and Cultural Organization (UNESCO)

Amnesty International has "information and consultative relations" (category B) with UNESCO.

The Non-Governmental Organization (UNESCO) Standing Committee has been the principle focus of Amnesty International activities within the framework of UNESCO. The Committee's meetings benefit from the continuing presence of members of UNESCO's Secretariat who provide information, guidance and advice to non-governmental organizations. Amnesty International participated in the December 1976 meeting of the Standing Committee which discussed UNESCO procedures for dealing with communications on violations of human rights within the mandate of UNESCO. The meeting was informed of resolution 12.1.II, adopted by the 19th

General Conference of UNESCO, which invited the Executive Board and the Director General "to study the procedures which should be followed in the examination of cases and questions which might be submitted to UNESCO concerning the exercise of human rights in the spheres to which its competence extends, in order to make its action more effective".

Under an existing wholly confidential procedure, the UNESCO Committee on Conventions and Recommendations in Education examines communications alleging specific violations of human rights. In January 1977, Amnesty International sent a letter to the Committee documenting "widespread and systematic violations of human rights in education, science and culture in the Republic of Argentina", and expressed the hope that the Committee might take effective action comparable to the Committee's action on Chile.

In view of the importance it attaches to UNESCO, Amnesty International sent its Head of Research to the 19th General Conference of UNESCO, held in October and November 1976 in Nairobi, where he was permitted informally to circulate a statement on the human rights situation in Chile, dealing specifically with the problem of disappeared persons.

Council of Europe

Amnesty International has consultative status with the Council of Europe.

Amnesty International's principal activity here over the past year has concerned the Non-Governmental Organizations' International Seminar on "Torture and Human Rights" to be held in Strasbourg in October 1977. Suggested by the 25th meeting of non-governmental organizations in consultative status with the Council of Europe, the seminar is being organized by Amnesty International in close consultation with the Human Rights Directorate of the Council. (The Council's Committee of Ministers has made a generous contribution.) Governments of states who are members of the Council, representatives of various organs of European institutions and individual experts are also being invited to participate. The purpose of the seminar is to follow up on the UN *Declaration on the Protection of All Persons from Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment,* adopted by the General Assembly in December 1975. It will have two principle themes:

a. domestic application and implementation of international instruments and standards for the protection of all persons deprived

of their liberty, against torture and maltreatment, including the adoption of and adherence to professional codes of conduct; and

b. human rights as a relevant factor in international relations, taking into account bilateral and multilateral relations between governments as well as the role and potential of inter-governmental organizations in this regard.

The European Commission of Human Rights in its decision of 16 May 1977, declared the application of Pat Arrowsmith v UK admissible. Ms Arrowsmith had been convicted in 1974 under the 1934 Incitement to Disaffection Act. The Commission considered the case raised important issues under Article 9 (freedom of thought, conscience and religion) and Article 10 (freedom of expression) of the European Convention for the Protection of Human Rights and Fundamental Freedoms. The British National Council for Civil Liberties and Amnesty International are acting as agents for the applicant, who is a former Prisoner of Conscience of Amnesty International.

Organization of American States (OAS)

Amnesty International has "cooperative relations" with the Inter-American Commission on Human Rights of the OAS.

Pursuant to these relations Amnesty International has not only brought specific cases and situations to the attention of the Commission, but has also sought to provide the Commission with general information and background documentation pertinent to its work.

Argentina

Josefa Martinez was arrested on 13 November 1976 on leaving the Hotel Crillon in Cordoba. On 23 November 1976 Amnesty International cabled the Commission requesting that it seek information on her whereabouts. The Commission, in turn, cabled the Argentinian Government on 3 December. The Government replied to the Commission by cable on 10 December stipulating that Josefa Martinez had been released on 6 December after an investigation into her background (*averiguacion antecedentes*). For more than two weeks the authorities had denied that she was in official custody.

Guatemala

Amnesty International was informed by the Commission of the Guatemalan Government's response to its allegations concerning disappearances in their country as submitted in June 1975. (See the

Amnesty International Report 1975-1976.) The Government insisted that it exhaustively investigated the cases, but failed to offer any facts concerning the named individuals. Amnesty International's response of 17 September 1976 to the Commission noted this omission.

Haiti

In following up the case of Hubert Legros that had formed part of a general submission by Amnesty International in May 1975, the Commission eventually secured a reply from the Haitian Government that a careful investigation had disclosed that M. Legros' name had been used to accuse the Government of human rights violations. On 13 April 1977, Amnesty International drew the Commission's attention to the unresponsiveness of this position and supplied it with details on various cases before the Commission, which demonstrated that the Haitian Government had frequently denied knowledge of detentions only to acknowledge them later by announcing the detainees' release.

Paraguay

On 6 July 1976, Amnesty International drew the attention of the Commission to a recent "wave of repression" resulting in the arrest of "approximately a thousand persons". By a note of 18 January 1977 the Commission requested from the Paraguayan Government "the appropriate information regarding the general situation of human rights in Paraguay". The Commission had already approached the Paraguayan Government for permission to send a sub-commission to "complete the information" it had concerning human rights in Paraguay, and when such permission was not forthcoming, the Commission decided to prepare a report for the June 1977 meeting of the Organization of American States (OAS) General Assembly in Grenada. In May 1976, in dealing with a March 1976 submission by Amnesty International concerning 55 detainees or disappearances, the Commission adopted a resolution presuming the accuracy of the facts and observing that they constitute "the gravest violations of the right to freedom, security and integrity of the person; of the right to protection of the family; of the right to the inviolability of the home; of the right to justice; of the right to protection against arbitrary detention and of the right to a fair trial".

Uruguay

On 10 October 1976, Amnesty International made a general submission to the Commission by way of updating the Amnesty International/

International Commission of Jurists report of May 1974 on that country. At its 39th session (October-November 1976) the Commission decided, as it had regarding Paraguay, to seek the permission of the Uruguayan Government to send a sub-commission to "complete the information" it had concerning human rights in Uruguay. On 24 March 1977, the Uruguayan Government refused permission, whereupon the Commission decided to issue a report for the June 1977 General Assembly of the Organization of American States (OAS) in Grenada. Amnesty International's general submission also led the Commission to request information from the Government concerning five named individuals.

There were in 1976-1977 further developments in the case of Alvaro Balbi, brought before the Commission by Amnesty International in 1975. The Uruguayan Government provided the Commission with information concerning Alvaro Balbi's death in custody, a death Amnesty International attributes to the effects of torture. However, the autopsy report was quoted by the Government as attributing the cause of death to "acute pulmonary cardiac insufficiency due to stress". On 3 March 1977 the Commission, following the suggestion of Amnesty International, wrote to the Government asking for a copy of this report. The case of journalist-writer Hiber Conteris, reportedly a victim of torture, was sent by Amnesty International to the Commission on 15 April 1977.

Organization of African Unity (OAU)

Amnesty International is an observer on the Organization of African Unity's Bureau for the Placement and Education of African Refugees (BPEAR).

During the year 1976-1977, Amnesty International maintained its membership of the Coordination Committee of the BPEAR. In October 1976, it made a grant of US$1500 to the OAU/BPEAR for legal aid to refugees detained in their countries of refuge or faced with repatriation to their countries of origin.

Non-Governmental Organizations (NGOs)

Amnesty International has continued to work with other non-governmental organizations on matters of mutual concern. It is a member of the Bureau of the Conference of Non-Governmental

Organizations in Consultative Status with the UN, of which Amnesty International's Secretary General is a Vice-President. It is also a member of the special Non-Governmental Organization Committees on human rights in both Geneva and New York, and of the Alliance of Non-Governmental Organizations on Crime Prevention and Criminal Justice in New York. In the past year Amnesty International has participated in special working groups of non-governmental organizations on questions relating to international humanitarian law, territorial asylum and the human rights of detained or imprisoned persons.

Within the context of the Council of Europe, in November 1976 Amnesty International was invited, together with other non-governmental organizations, to attend a meeting of the Parliamentary Assembly's Legal Affairs Committee where it expressed support for the draft European Code of Ethics for the Police prepared by non-governmental organization's in consultative status with the Council which the Committee had adopted as a working document in its discussion of the question. In December 1976, Amnesty International participated in the non-governmental organization project: The International Colloquy on Education in Human Rights and the Struggle Against Racial Prejudice in Primary and Secondary Education which was held in Strasbourg.

As stated in the *Amnesty International Report 1975-1976*, the Inter-Parliamentary Union has set up a procedure for dealing with violations of the human rights of parliamentarians. Amnesty International, together with the International Association of Democratic Lawyers and the International Commission of Jurists, submitted a number of cases during this past year which resulted in positive action on all except one case on which further information from the three non-governmental organizations was asked for. Particularly welcome were the resolutions of the Inter-Parliamentary Council calling for the release of the named prisoners. Amnesty International also testified before the Inter-Parliamentary Union special committee dealing with the situation in Chile.

CAMPAIGN FOR THE ABOLITION OF TORTURE

Amnesty International's Campaign for the Abolition of Torture (CAT) is now in its fifth year as an important and integral part of Amnesty International's overall program. It continues to rely both on thorough research regarding the incidence and victims of torture and on strong organizational structures to conduct its anti-torture campaigning activities.

For the whole of the organization, the year 1976-1977 has been a period of increasing research and campaigning, with the emphasis being given to creating a range of activities to attract the participation of larger sectors of the general public, including those that have specialist skills that can be put to particular use.

Amnesty International's worldwide membership has actively participated in the Campaign for the Abolition of Torture using specially prepared documents, and country related reports emanating from the Research Department, many of which detail torture practices, as well as a great variety of action and information materials produced by Amnesty International's National Sections for use in their own countries.

The International Secretariat on its part has continued regular production of the Urgent Action campaigns and the two page *CAT Bulletin* incorporated in the monthly Amnesty International *Newsletter*. In addition, a number of special projects have been initiated or continued, some of limited duration, towards the campaign's main objectives: publicity about torture in particular countries, promotion of international norms and standards against its use and assistance to its victims. During 1976-1977 these projects included special actions on Spain and the Philippines, a report on the system of torture in Greece during its seven year dictatorship, medical research into the effects of torture and collaboration with specialist groups, non-governmental and inter-governmental organizations.

Urgent Action

The greatest test of Amnesty International's investigatory and cam-

paign effectiveness is posed by the need to intervene rapidly on behalf of individuals known by name who are under the threat of torture. In 1974 the organization devised an international structure, that is, an "Urgent Action" network of volunteers, to launch immediate appeals on behalf of such individuals. In 1976 these emergency interventions were extended to include various death penalty cases and violations of fundamental rights of prisoners to due judicial process or medical treatment of immediate and urgent nature.

During the past year Amnesty International's members throughout the world as well as the general public continued to show enthusiasm and active support for the Urgent Action scheme. Thousands of individuals in more than 25 countries stand ready to address relevant government authorities in cases where reliable and recent information indicates that immediate action may help to prevent or halt torture or other gross violations of human rights. Numerous independent organizations have been enlisted in individual cases of torture or other serious abuse, and in some instances these organizations have set up human rights desks and their own provisions for intervention in cases of concern to their own membership.

There are two main indicators of the value of these Urgent Action campaigns: first—and most important—is the continuous flow of requests for this type of action from those closest to the situation—including relatives, lawyers and ex-prisoners; second, these sources have on various occasions explicitly voiced their appreciation and expressed their belief that such international appeals have helped to protect individuals from torture or death. A letter received in March 1977 from a relative of an illegally arrested Salvadorian student said: "I would like to thank you for the important action taken in this case, I am sure that it was national and international mobilization that brought about the release".

It is impossible to compile accurate statistical evaluation of the effectiveness of Urgent Action campaigns because of the lack of detailed information about many of the individuals concerned after the action has taken place. Furthermore, there are usually a variety of factors which determine developments in each case. Nevertheless, in an attempt to find out about the general trend early in 1977 the CAT Unit carried out a study of all new information available concerning the 149 Urgent Actions launched during 1976. It was possible to establish that in at least half of the cases circumstances had improved: torture stopped, arrests officially acknowledged, kidnap victims released, death sentences commuted. The survey also in many instances corroborated the accuracy of the original information and evaluation of the case: for example, that torture had been taking

place at the time of the Amnesty International initiative, or that disappeared persons had been subjected to unofficial arrest.

Thus, in its third year of operation, the Urgent Action scheme has become a unique and valuable channel for emergency cases where international involvement is urgently needed. In late 1976, as previously mentioned, Amnesty International extended this technique to include cases of urgency other than torture, such as disappearances, threat of execution, deteriorating health condition and impending trial without due process. As a result of this broadening of the program plus the continuing flow of torture cases, during the past year (June 1976 to June 1977) there were 193 Urgent Action initiatives on behalf of 416 individuals and 15 groups from all areas of the world.

Country Related Campaigns

During 1976-1977 Amnesty International as a whole conducted numerous campaigns on various abuses of human rights in countries of different ideologies over all parts of the world. The CAT Unit assisted in several of these campaigns, and in two in particular, where torture was a central issue, was instrumental in much of the planning and execution. These campaigns concerned Spain and the Philippines.

In October 1976 the CAT Unit, in collaboration with the Research Department, prepared an "information campaign" to highlight the continuing use of torture in Spain. Amnesty International's National Sections distributed this material widely so as to alert world public opinion to numerous allegations of ill-treatment during short-term detention by the Spanish security forces, a practice that remained unchanged despite other measures taken by the Spanish Government during 1976 to improve the general human rights situation. Among other things, a leaflet was prepared containing excerpts from testimonies and other documentary evidence of recent cases of torture. It was distributed together with a number of full testimonies from first-hand sources. These reports went unpublished in Spain after a government ban on press reports of any allegations of ill-treatment by the police and the military.

Amnesty International's information activities were aimed at bringing to light the continuing use of arbitrary treatment by the Spanish security forces, and urging the responsible authorities to take strong measures to bring this practice to an end. In this regard the Amnesty International leaflet also noted that only a minimal number of the allegations of torture were duly processed by the

courts, and stressed the urgent need for official inquiries into these allegations and for appropriate remedial measures to benefit torture victims and to secure prosecution of accused torturers under the law.

Later in 1976 and early in 1977 further information was distributed regarding new allegations of individual cases of torture in Spain which warranted official intervention. A paper prepared by the Research Department describing the intimidation of, and sometimes physical assault on certain Spanish journalists, was given wide circulation to various public organizations by means of Amnesty International's National Sections and groups.

The pattern of arrest, torture and detention without trial in the Philippines that was documented by an Amnesty International mission in late 1975[1] continued into 1976. This led to the decision to launch a strong campaign on that country, itself conceived as part of a program to help secure further releases of individual prisoners[2] and to encourage the Philippine Government to implement the recommendations of the Amnesty International mission report, especially those that would alter the pattern of arrest, torture and detention without trial:

a. reinstating of the full application of the writ of *habeas corpus*, as existed before martial law;

b. full independent and open inquiries into the records and activities of the 88 officers listed in the report as having tortured detainees;

c. immediate release, pending trial, of all detainees held on political charges;

d. removal of all judicial proceedings against political prisoners from military to civilian courts.

In addition, the campaign was intended to promote discussion within Filipino professional circles, including the military, of specific reforms in current legal practices affecting the detention and interrogation of political detainees.

The central technique of the Philippines campaign was polite but persistent letter-writing. Amnesty International members around the

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1 *Report of an Amnesty International Mission to the Republic of the Philippines 22 November-5 December 1975.* Published September 1976, Second Edition March 1977.

2 Some 30 of the 107 prisoners interviewed by the mission delegates had been released by October 1976 and at the time of writing about 70 of the 107 have been released.

world wrote hundreds of letters in December and January to governmental officials in the Philippines requesting implementation of the Amnesty International mission report recommendations. At the same time Amnesty International approached selected international non-governmental organizations for support and participation in this regard. In March 1977, Amnesty International members wrote to military officers and other professional people (churchmen, doctors, trade union leaders, judges, lawyers, teachers, etcetera), enclosing copies of the mission report and asking them to use their influence to ameliorate the situation wherever possible. In May 1977, following publication of Amnesty International's report on the trials of Greek torturers, members of Amnesty International sent copies to the 88 alleged torturers known to the organization by name, informing them that under international law any individual who has committed acts of torture is responsible for these acts even though they may have been committed as a result of orders given by a superior officer.

The arrest and torture in late April 1977 of Mrs Trinidad Herrera, the internationally known community leader from the Tondo slum area in Manila, gave added impetus to Amnesty International's Philippines campaign. National pressure from church leaders and international concern—for example, as expressed in a visit to Mrs Herrera in prison by two US embassy officials—finally obtained her release on 14 May. Mrs Herrerra's case is representative of the continuing abuse of human rights in the Philippines as documented in Amnesty International's mission report.

An open letter of 12 May from Mrs Herrera's lawyer to government officials describes her torture:

> "The electric shock was inflicted not only on her two thumbs but also on the nipple of her left breast. This was done after the several shocks applied on her thumb failed to break her resistance to the demands that she 'cooperate'. She was ordered to remove all her clothes until she was completely naked; then, she was made to attach and wind, by herself, around her left nipple the end of one of the two electrode wires. While electric shock was being applied on her nipple, one of the torturers was holding the other electrode in front of her vagina – uttering threats that if she still would not 'cooperate', he would attach said wire to her vagina. It was at this point that she asked them to stop; and promised to 'cooperate'."

The Government conducted an investigation into these allegations. Mrs Herrera identified three of the military men directly responsible

for her torture. Two officers were tried by court martial on charges of torturing Mrs Herrera. The court forbade three detainees, who claimed to have been tortured by one of the defendants, to testify as prosecution witnesses. The court martial acquitted the two officers.

Greek Torture Trial Report

In April 1977 Amnesty International published *Torture in Greece: The First Torturers' Trial 1975* in order to present an analysis of the procedures by which torturers were, and in some cases were not, prosecuted in Greece after the Junta. The report was based on more than a year's translating and research and is unique among Amnesty International's reports. As *The Times* of London stated in an editorial, "For once, instead of drawing attention to horrors currently practised by one of the world's too numerous repressive regimes, Amnesty has set itself . . . the no less important task of following procedures by which oppressors have been brought to justice in a free society after their oppressive regime has fallen" (18 April 1977).

The Amnesty International report focusses on the first torturers' trial in Greece (the August-September 1975 military police trial) because the trial established the truth that torture *was* practised during the seven years of dictatorship by the Junta's military police on a systematic scale as a means to enforce authority, because it proved that torture *can* be punished by the ordinary criminal process, and most of all because, unlike the series of trials that followed, for all governments it stands as a model for trying accused torturers.

The first torturers' trial resulted in the commanding officers being given exemplary sentences. However, in the many trials that followed, the sentences often fell far short of being exemplary, with some torturers released or merely fined on appeals against their earlier convictions. Moreover the present Greek Government has yet to enact domestic legislation against torture, to see that all the Junta's torturers are tried, or to compensate all torture victims, and some accused but unprosecuted torturers continue to serve in the Greek security forces.

The first torturers' trial began on 7 August 1975, when 14 officers and 18 soldiers of non-commissioned rank were charged before the Athens Permanent Court Martial on counts including "repeated abuse of authority, unconstitutional detention, recurrent moral responsibility for ordinary or serious physical injury". Like subsequent torture trials, the prosecution of these men was prompted by the accumulative pressure of private lawsuits brought by several former

prisoners against their torturers in the absence of public prosecution.

The defendants were all members of the Junta's military police *Elliniki Stratiotiki Astynomia* (ESA) who had served in the Special Interrogation Section in Athens, at its training center, at its Piraeus Section or at the military prison in Boyati. Most notorious among them were Major Theodoros Theofiloyannakos, who became commander of ESA in August 1970, and his successor Major Nikolaos Hajizisis. It was under Theofiloyannakos that the efficient techniques of surveillance, arrest and interrogation were built up, with the full support of his superior, Brigadier Ioannidis.

The evidence presented at the court martial consisted of testimonies from nearly 130 persons. Out of the mosaic of individual suffering a larger picture emerged of a consistent pattern of arrest, torture and interrogation by the ESA. The cumulative evidence of torture as a routine system, including training for torture, was striking and, indeed, it was this consistency of evidence that constituted the most persuasive aspect of the prosecution's case.

The trial testimonies also reveal the psychological experiences both of torturers and their victims. The victims' profound feeling of helplessness is particularly notable when confronted with threats such as that made by Ioannidis to Anastasios Minis: "You know it is possible that some parts of your body might be destroyed." After being forced to stand upright for days on end, hallucinations and suicidal impulses became common. "They wanted to give us the sensation that we were forgotten" said a victim who is now a parliamentarian, "and that there was no one to care for us." Surprisingly the extensive training and personal allegiances demanded from ESA soldier conscripts introduced them to a similar experience. To train them to be torturers, new conscripts were themselves tortured, and were beaten in the lecture halls and during lessons. These beatings continued even after they had left the training center and were posted as guards at ESA headquarters or at one of the other military torture centers. "We are a poor but decent family . . . " said the father of one of the soldier defendants, "and now I see him in the dock as a torturer. I want to ask the court to examine how a boy who everyone said was a 'diamond' became a torturer. Who morally destroyed my family and my home?"

The officer defendants were, on the whole, the interrogators who ordered and supervized the torture rather than those who actually used the clubs and whips. "How could Greek officers sink to this moral degradation? Who are those responsible?" asked the prosecutor. "Were they born with criminal instincts, or did external factors deform their character? It is certain, members of the Tribunal, that those morally responsible are not in this court. They are those who used the defendants . . . who inspired in them wrong ideas about our national interest. They are those who, for many years, have given thousands of hours' instruction in the fighting of communism without sparing even one hour for the defence of democracy." The answers to these questions, according to Amnesty International's report, are to be found in the political and ideological developments of the past, starting with the 1935 purge from the military officer corps of all but royalist sympathizers that fostered the ideology and mentality of the torturers. By 1967, the two predominant groups within the military officer corps were conspiratorial right-wing extremists, from whom the Colonels sprang, and conservatives (mostly royalists) who filled the highest echelons. The coup overturned this coalition when the junior partners in the alliance, the Colonels, asserted their supremacy over their former senior officers. These two groups were, respectively, the chief officer defendants and some of the chief prosecution witnesses at the 1975 trial.

As in the Nuremberg trials, at the first Greek torturers' trial all defendants save one denied the charges against them and nearly all based their defence on the grounds that they were required to obey orders. Major Hajizisis, the most heinous offender, in a five-hour concluding defence to the court martial, argued: "We were completely covered legally and by the chain of command. The hierarchy started from the Minister of National Defence and went right down to the officer in command . . . I will personally not allow anyone to rob me of the sweat of those seven years at EAT/ESA. It has watered the ground there and become one with the soil and the asphalt . . . It was a duty to the leadership of the armed forces."

The first trial of Greek military policemen, as analyzed in Amnesty International's report, provides a worthy example of torturers brought to trial and punished. The legal process of detection, trial and sentence has been shown to work with torturers as well as with other criminals. An important contemporary precedent now exists to show that political torture is a crime to be punished by law. It is significant that Amnesty International's report received wide publicity in Greece. Two major Greek language newspapers, *Eleftherotypia*, the Athens paper with the second largest circulation, and *Kathimerini*, an important Athens independent daily, serialized the full report over a three week period, as did the English language *Athens News*. Most likely with an eye on the home front, the *Milliyet* of Ankara printed large excerpts under the heading "Torturers are Punished". Amnesty International's report appeared simultaneously

in English, German and Dutch, and at the time of writing French and Spanish versions are in preparation.

Medical Research Against Torture

Considerable progress has been made during the past year in another field of Amnesty International's work against torture: medical research. In June 1977 Amnesty International published *Evidence of Torture: Studies by the Danish Medical Group,* which summarized the results of three research studies. One aim was to draw attention to the kind of activities that individuals with specialist skills can undertake in support of the Campaign for the Abolition of Torture. This report was released at simultaneous news conferences in Amsterdam, London and Stockholm attended by the news media, medical journalists, government health officials and doctors. The emphasis at each news conference was on the symptoms and effects (sequelae) of torture as a disease—a man-inflicted disease with which doctors should be concerned.

Amnesty International's Danish Medical Group is the first medical team in the world to study systematically the sequelae of torture with the explicit purpose of better documenting torture allegations. Sophisticated techniques used by contemporary torturers often leave few, if any, visible traces. In some cases, the only way to detect and document objectively a torture victim's allegations is with modern scientific techniques which in turn depend on a knowledge of the incidence and clinical pattern of torture. Improved diagnoses of torture require research concerning, for example, the marks on the skin after electrical torture and the whole spectrum of sequelae associated with various forms of torture. Another aim of this research is better medical treatment for torture victims. Of the utmost importance is treatment that prevents the effects of torture from becoming long-lasting or permanent.

The first of the booklet's reports concerns 32 Chilean refugees in Denmark and 35 former political prisoners held by the Greek Junta's security forces. Conventional clinical study included clinical neurology. In some cases, the researchers were able to see skeletal X-rays previously taken. Undoubtedly the most troublesome sequelae of the torture experienced by these victims were psychological and neurological, with mental disturbance displayed by 17 Chileans and 23 Greeks (60%). Objective signs, including neurological findings, related to torture were seen in 21 Chileans and 24 Greeks (67%).

The second report concerns one female and two male Uruguayans

tortured while in exile in Argentina before expulsion to Paris, where they were examined by members of Amnesty International's Danish Medical Group. The victims had suffered seven days of torture only four weeks before their first examination, and a follow-up examination took place eight weeks later. All three had skin marks corresponding to cigarette and electrical burns. From the two examinations the doctors were able to make specific observations about the clinical pattern of these types of torture.

The third study engaged in by the Danish doctors sought to measure the pain caused by a minor electrical instrument, a "shock baton" made in the United States. This is a battery-operated police truncheon modelled on cattle prods. "Shock batons" of this type were reportedly used for torture in Cyprus during 1974.

In publishing these research findings, Amnesty International calls on the medical profession as a whole to take up the responsibility of continuing such research on a much larger scale. There is a real need for sponsored research into the whole field of torture, including forensic study, the training of torturers, the detection of torture sequelae, and, ultimately, the provision of improved medical care for torture victims. Universities and medical foundations should sponsor this research. Governments should offer financial and moral support. Medical research of this kind should clearly be international, with shared resources and results, for torture is an international problem. Moreover, because such research could also be used to aid and abet the torturers themselves, inter-governmental agencies such as the World Health Organization have a special obligation not only to support medical research against torture but to provide guidelines and safeguards against the misuse of such research.

Cooperation with other organizations

During the past year further efforts have been made to enlist and use the support of a broad range of governmental and non-governmental organizations and groups for the anti-torture program. Amnesty International's medical research has, for example, also provided a focus for members of the medical and related professions to contribute usefully, particularly by intervening in Urgent Action cases involving serious health problems or concerning colleagues. Efforts have also continued to mobilize the medical profession to promote the development of a strong code of ethics for medical personnel relevant to torture. At the request of the United Nations General Assembly, a preliminary text is in the process of being drafted by the

World Health Organization in conjunction with other relevant bodies.

Parallel to this, Amnesty International has continued to work within the United Nations and the Council of Europe for the establishment of ethical codes for law enforcement personnel. Amnesty International has also made efforts to solicit the support of bar associations and other professional legal bodies for a code of ethics for members of the legal profession which was itself drawn up by Amnesty International in consultation with the International Commission of Jurists.

In order to stimulate discussion and action in professional circles concerning the development and universal acceptance of codes of ethics relevant to the problem of torture, and the setting of standards of conduct for professional groups, Amnesty International published a 32 page booklet entitled *Professional Codes of Ethics* (October 1976) containing two essays by Dutch members. The first essay "Professional Codes of Ethics against Torture" by Alfred Heijder, professor of criminal law at Amsterdam University and member of the movement's International Executive Committee (IEC), is based on a paper presented to an Amnesty International seminar at the Fifth United Nations Congress on the Prevention of Crime and Treatment of Offenders, held in Geneva in September 1975. It elaborates on the need and criteria for such codes. The second essay, by Dr Herman van Geuns, a Rotterdam lung specialist and former International Executive Committee member, discusses "The Responsibilities of the Medical Profession in Connection with Torture". The Amnesty International booklet also includes the texts of four codes in final or draft form, and is available in various languages including Spanish.

The formation of specialist groups, either within its National Sections (for example, the Danish Medical Group, the US Section's network of lawyers) or closely affiliated to them, is of increasing interest to Amnesty International. In this way particular kinds of expertise and pressure, whether direct action or initiatives through established organizations and professional bodies, are made more readily available for combatting torture and for other matters of Amnesty International concern.

In addition to working with other non-governmental organizations on the international level on the question of torture, Amnesty International has continued to give major focus to this work within intergovernmental organizations, especially the United Nations and the Council of Europe, as is elaborated in the chapter on "International Law and Relations with Other Organizations".

The preceding paragraphs describe some of the aims and techniques of Amnesty International's Campaign for the Abolition of Torture. Torture has now become recognized by the media and the general public as an international problem (see, for example, the cover story in the international edition of *Time* on 16 August 1976). This is quite largely because of Amnesty International's years of campaigning on the issue. The organization will continue to stress this particularly cruel violation of prisoners' human rights by research and publicity, also by initiating campaigns on behalf of individual torture victims and on countries where torture is especially bad. Since torture is clearly just one aspect of political oppression, Amnesty International will also continue, as during the past year, to integrate its work against torture with its general work for Prisoners of Conscience.

During 1977-1978 support will be enlisted from a wider range of professional groups for Amnesty International's actions against torture and for its general work for Prisoners of Conscience. There are already specialist groups of doctors, lawyers, teachers and members of legislatures in several National Sections. Amnesty International hopes to develop such groups in many countries and to develop them among other professions—for example, among trade unionists and journalists. This will require considerable international and local work; but pressure from a diversity of social groups and institutions is necessary to defend prisoners' basic human rights and to achieve the eventual abolition of torture.

Declaration on the Protection of All Persons from Torture and Other Cruel Inhuman or Degrading Treatment or Punishment

adopted unanimously by United Nations General Assembly resolution 3452 (XXX) of 9 December 1975.

Article 1

1. For the purpose of this Declaration, torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted by or at the instigation of a public official on a person for such purposes as obtaining from him or a third person information or confession, punishing him for an act he has committed or is suspected of having committed, or intimidating him or other persons. It does not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions to the extent consistent with the Standard Minimum Rules for the Treatment of Prisoners.
2. Torture constitutes an aggravated and deliberate form of cruel, inhuman or degrading treatment or punishment.

Article 2

Any act or torture or other cruel, inhuman or degrading treatment or punishment is an offence to human dignity and shall be condemned as a denial of the purposes of the Charter of the United Nations and as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights.

Article 3

No state may permit or tolerate torture or other cruel, inhuman or degrading treatment or punishment. Exceptional circumstances such as a state of war or a threat of war, internal political instability or any other public emergency may not be invoked as a justification of torture or other cruel, inhuman or degrading treatment or punishment.

Article 4

Each State shall, in accordance with the provisions of this Declaration, take effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment from being practised within its jurisdiction.

Article 5

The training of law enforcement personnel and of other public officials who may be responsible for persons deprived of their liberty shall ensure that full account is taken of the prohibition against torture and other cruel, inhuman or degrading treatment or punishment. This prohibition shall also, where appropriate, be included in such general rules or instructions as are issued in regard to the duties and functions of anyone who may be involved in the custody or treatment of such persons.

Article 6

Each State shall keep under systematic review interrogation methods and practices as well as arrangements for the custody and treatment of persons deprived of their liberty in its territory, with a view to preventing any cases of torture or other cruel, inhuman or degrading treatment or punishment.

Article 7

Each State shall ensure that all acts of torture as defined in article 1 are offences under its criminal law. The same shall apply in regard to acts which constitute participation in, complicity in, incitement to or an attempt to commit torture.

Article 8

Any person who alleges that he has been subjected to torture or other cruel, inhuman or degrading treatment or punishment by or at the instigation of a public official shall have the right to complain to, and to have his case impartially examined by, the competent authorities of the State concerned.

Article 9

Wherever there is reasonable ground to believe that an act of torture as defined in article 1 has been committed, the competent authorities of the State concerned shall promptly proceed to an impartial investigation even if there has been no formal complaint.

Article 10

If an investigation under article 8 or article 9 establishes that an act of torture as defined in article 1 appears to have been committed, criminal proceedings shall be instituted against the alleged offender or offenders in accordance with national law. If an allegation of

cruel, inhuman or degrading treatment or punishment is considered to be well founded, the alleged offender or offenders shall be subject to criminal, disciplinary or other appropriate proceedings.

Article 11

Where it is proved that an act of torture or other cruel, inhuman or degrading treatment or punishment has been committed by or at the instigation of a public official, the victim shall be afforded redress and compensation in accordance with national law.

Article 12

Any statement which is established to have been made as a result of torture or other cruel, inhuman or degrading treatment may not be invoked as evidence against the person concerned or against any other person in any proceedings.

DEATH PENALTY PROGRAM

Amnesty Interntional opposes the death penalty on the grounds that it constitutes a cruel, inhuman and degrading punishment, is irrevocable, is capable of being inflicted on the innocent, does not act as a deterrent to crime and is a violation of the right to life provisions of the Universal Declaration of Human Rights and other international covenants. Amnesty International is committed by its Statute to "opposing by all appropriate means the imposition of death penalties".

Amnesty International is now in a position, not only to arrange seminars and a conference on the death penalty, but also to prepare a report which it is hoped will be a substantial contribution to the debate on the subject.

The Amnesty International conference on the death penalty in Stockholm, Sweden, is scheduled for 10 and 11 December 1977. This conference is intended to be international, with participants from all regions of the world and will be preceded by a series of seminars.

It is intended to stimulate discussion between Amnesty International, individual experts and other non-governmental organizations; and it is particularly important that the organization's work before the Stockholm Conference be conducted on a truly inter-continental basis. Hitherto, action concerning the death penalty seems to have reflected mainly the concern of those living in Western Europe and the United States. The matter has not been sufficiently considered in the context of the social and legal systems of Africa, Asia and other parts of the world.

This program will be an important move away from the usual type of debate on the subject. To discuss it in Asia, in Africa and in the Caribbean will no doubt not only be a contribution to the current debate on the politics of those regions but also an original contribution on a problem which had not hitherto been considered in a proper perspective. It will also provide an excellent channel of communication for Amnesty International in regions where the movement is not yet well-known.

In the first quarter of 1978 Amnesty International will publish a report on the laws about, and the use of, the death penalty through-

out the world. This report will be based on information obtained by the International Secretariat. The Research Department, Legal Office and Conference Organizer have been involved in its writing. The Conference Organizer and Mumtaz Soysal of the International Executive Committee are responsible for its coordination.

The task of the Conference Organizer and Secretary has been to prepare for seminars that will be convened by Amnesty International National Sections in various parts of the world, encourage other interested non-governmental organizations to convene their own seminars and, in close cooperation with the Swedish Section, to organize the conference that will be held in Stockholm.

Seminars held before the Stockholm Conference were as follows:

Amnesty International, New York:
1. the Death Penalty in International Law and Organization: Norms and Standards of international conduct;
2. murder committed, or acquiesced in, by governments.

Amnesty International, Paris:
1. the psychology of individuals involved in and affected by death sentences (juror, judge, executioner and condemned person);
2. alternatives to the death penalty.

Amnesty International, Hamburg:
1. conventional arguments on the death penalty;
2. theological attitudes to the death penalty;
3. the death penalty as *de facto* racism.

Amnesty International, Sri Lanka:
1. public opinion and the death penalty;
2. mass media and the death penalty;
3. the death penalty as a cultural phenomenon.

In addition to these Amnesty International seminars, a seminar will be convened by the All Africa Conference of Churches which will deal with the death penalty in Africa. It is hoped that the Caribbean Conference of Churches will be able to organize a similar meeting in its own region.

The Stockholm Conference, lasting two days, will be attended by approximately 200 people including many from Africa, Asia and Latin America. It will be chaired by Garfield Todd from Rhodesia/Zimbabwe. Amnesty International invited incumbent ministers to attend as well as individual expert participants and representatives from inter-governmental and non-governmental organizations.

The Conference, comprising four working groups, will discuss

subjects previously allocated to seminars and on which the respective seminars have reported.

Each working group will make a recommendation to the plenary session. It will be on the basis of such recommendations and discussions in the plenary session that we hope a "Declaration of Stockholm" will be adopted by the Conference.

RELIEF PROGRAM

1976-1977 saw a major expansion and rationalization of the relief program administered by the International Secretariat, based largely on the procedures for dealing with relief introduced with the approval of the International Executive Committee (IEC) in November 1974. Both in the International Secretariat and in the National Sections there appeared to be a new awareness of the organization's potential as a channel for financial assistance to Prisoners of Conscience and their families. The growing importance of Amnesty International's relief operations was reflected in the decision to conduct an overall review of relief policies and procedures. This review, undertaken by an IEC member, resulted in the IEC's reaffirming the basic policies and procedures established in November 1974, with a number of modifications to ensure that relief operations via the International Secretariat were conducted more efficiently and that relief work remained an important part of the organization's work.

From May 1976-April 1977, a total of £125,000 in relief money was administered by the International Secretariat—an increase of £27,000 over the previous twelve months' sum. The International Secretariat Relief Committee (established in November 1974 and chaired by an IEC member) met frequently and reported to the IEC at each of the latter's meetings. One of the Committee's priorities during this period was to increase the volume of relief money flowing through the International Secretariat. This was for the most part achieved, monthly relief money during the first four months of 1977 flowing at almost three times as high a rate as during the equivalent period in 1976. The Committee also aimed as far as possible to reduce the amount of earmarked relief held by the International Secretariat to £25,000—the figure recommended by the IEC in 1976. Progress was made in this direction; however, as the Relief Committee pointed out to the Financial Control Committee in April 1977, the figure of £25,000 had been chosen by the IEC as representing approximately three months' reserves, at a time when monthly relief flow was about £8,000. With the monthly relief money in early 1977 flowing at nearly £20,000, a strong case could be made for raising the optimum reserve figure to £30,000 or even £40,000, should relief flow maintain this high volume.

The Relief Committee was also gratified to receive during the year increasing cooperation from National Sections in reporting on the availability of unearmarked relief money for allocation by the Committee. The excellent cooperation with the **British Prisoner of Conscience Fund** and with the **Norwegian Section** which the Committee had enjoyed during 1975-76 continued, with more than £38,000 of Prisoner of Conscience Fund and £11,000 of **Norwegian Section** money being allocated to specific relief projects during 1976-77. In addition, the Committee received the offer of £5,000 from the **Swiss Section**, over £10,000 from the **Dutch Section**, and £10,000 from the **German Section**, some of which was allocated by the Committee during the first half of 1977. The **Belgian, Japanese, Mexican** and **American Sections** were among those who appointed Relief Officers to liaise with the International Secretariat.

Owing to the generosity of the National Sections and the Relief Committee's work the International Secretariat was able to continue large scale relief operations in Latin America and Southern Africa, to initiate major projects in Asian states such as Indonesia and the Philippines and to give relief money to people in countries not previously helped by Amnesty International, such as Uganda, Thailand, Poland and Ethiopia. Many different forms of relief were given, including direct financial assistance to prisoners and their families, legal aid, help with rehabilitation and travel expenses for prisoners released into exile.

Within the International Secretariat, efforts have been made to improve relief procedures and avoid unnecessary delays in the transfer of relief funds. The Relief Committee has monitored the handling of relief payments and conducted internal audits to help ensure that correct procedures were being followed.

The relief program at the moment is carried out by Researchers and Executive Assistants and by the Relief Committee, which consists of members of four International Secretariat departments, all of whom have many other responsibilities in addition to their involvement in the relief program.

PRISONERS AND HUMAN RIGHTS
COUNTRY BY COUNTRY

INTRODUCTION

by John Humphreys, Head of Research, International Secretariat

During the past year, Amnesty International's Research Department has responded to the challenge offered to the organization as a result of growing public interest in human rights. As the issues of torture, arbitrary detention and the death penalty have become subjects of intense debate within and among nations, individuals and institutions have turned with increasing frequency to Amnesty International for full, informed statements about violations of basic human rights in individual countries. Thus, in addition to its traditional role as the source of case sheets and campaign material for use by the membership, the Research Department has also been called upon to maintain and extend its work of monitoring and reporting on events and issues within the organization's mandate. This broadened responsibility calls for even greater accuracy and precision in research; and there is a pressing need to use the whole range of the organization's techniques—adoption, publications, campaigns, diplomatic action, relief—as effectively as possible on behalf of those whom the organization serves—the prisoners.

In order to meet this challenge, the Research Department has tried to set priorities in a more systematic way. In November 1976 there were strategy discussions covering each geographical region, and a campaign calendar was drawn up, running from September 1976 to September 1977. As regards new techniques, the Research Department launched its first major action on behalf of "disappeared" prisoners (**Chile**, March 1977); decided to create "country action dossiers" to enable the organization's worldwide membership to focus their efforts on countries such as **Uganda** and **Ethiopia**; continued to produce the useful and concise Briefing Paper series (since last year's *Annual Report*, **Paraguay, Malawi, Taiwan, Guatemala, Iran, CSSR, Turkey** and **Namibia** have featured in this series) undertaken sophisticated pressure campaigns, such as that in relation to the **Philippines** (November 1976–April 1977) and expanded the International Secretariat's relief program to the point where the flow of relief funds during the early months of 1977 was triple that of the same period in 1976. Meanwhile, regular case sheet production has

continued—production having been significantly higher than during the previous year. The Research Department also undertook the major project of a global report on the use of the death penalty.

In each of the five geographical regions where the Research Department works, the year saw significant advances in the application of Amnesty International techniques. In Africa, Briefing Papers on **Malawi** and **Namibia** were the first Amnesty International publications on Africa for a number of years. Large-scale adoption programs continued in **South Africa, Rhodesia/Zimbabwe, Morocco, Tunisia,** and **Tanzania,** and were initiated in **Somalia** and **Cameroun.** Amnesty International missions visited **Morocco, Kenya, South Africa, Rhodesia/Zimbabwe, Tanzania** and **Mozambique.** On the international level, Amnesty International submitted a major document on human rights violations in **Uganda** to the UN Commission on Human Rights in February 1977, and the following month an Amnesty International witness testified on the situation in **Ethiopia** before an American congressional sub-committee. In relation to these two countries, the Research Department in early 1977, also started to use "country action dossiers".

On Asia a major report was published on the use of torture in the **Philippines,** based on a mission in November/December 1975. This was the focus of a prolonged international action campaign designed to stop the torture of political detainees. A report on **Pakistan,** published in May 1977, described the findings of a mission the previous year; while in September 1976 a Briefing Paper on **Taiwan** described the human rights situation in that country.

In **Indonesia** the organization continued, through a massive adoption program and direct representations to the government, to press for the immediate and unconditional release of the up to 100,000 prisoners detained without trial, many for more than 10 years. A prolonged and intense adoption program in **India** ended in March 1977 when the defeat of Indira Gandhi's Congress Party led to the liberation of detainees held since the declaration of a State of Emergency in June 1975. Amnesty International adoption, publicity and relief programs continued in relation to **Taiwan, Singapore, Malaysia** and **South Korea.** Research on **China** was intensified and the Research Department attempted to analyze conflicting reports of gross human rights violations in **Cambodia.**

Work on Latin America included missions to **El Salvador, Nicaragua, Guatemala** and **Argentina,** the last prompting the production of a major mission report in March 1977 documenting the oppression which has become institutionalized since the March 1976 coup. Also in March 1977, the Research Department produced a unique

dossier focussing on the phenomenon of "disappeared prisoners" which has developed in **Chile** since the 1973 coup. Urgent Actions on behalf of torture victims continued in a number of Latin American countries, often at the rate of six or seven a week, and the adoption of prisoners in countries such as **Uruguay, Peru, Bolivia** and **Nicaragua** formed a regular part of the work of the Latin America Section of the Research Department. In the **USA** and **Canada** Amnesty International observers attended the trials of members of the American Indian Movement.

Following a decision to strengthen the research staff on the Middle East, missions took place during the year to **Lebanon, Syria, Egypt, Libya** and **Iran**—in the last two cases leading to meetings with the respective heads of state in order to convey Amnesty International's concern over human rights violations. A Briefing Paper on **Iran,** published in November 1976, and a subsequent campaign by Amnesty International sections and groups, laid the groundwork for important developments in Amnesty International work on that country, resulting in an observer being allowed to attend a political trial in April 1977. The following month a delegation to **Egypt** visited political prisoners and launched the Prisoner of Conscience Year appeal in the Middle East. In the summer of 1977, an additional Researcher was added to the Research Department's Middle East Section, in order to intensify work on the area.

The organization's European work was affected by two developments—the liberalization of the regime in **Spain** and consequent release of many Amnesty International adopted prisoners, and the upsurge of interest in human rights in the Eastern European countries and the **Soviet Union** as a result of the human rights provisions of the Helsinki Final Act. In Western Europe the Research Department found that, in addition to its traditional adoption work on behalf of Conscientious Objectors in such countries as **France** and **Greece,** it was increasingly called upon to deal with such complex matters as emergency legislation, prison conditions and allegations of police brutality. To help establish priorities in this work, the International Secretariat convened a meeting of representatives from West European sections in March 1977. It is hoped that this meeting's decisions will help to determine clear policy lines for further Amnesty International action in areas where the "traditional" technique of adoption is largely inapplicable.

In Eastern Europe the appointment of a new Researcher meant that the Research Department was able to spend more time working on behalf of dissidents arrested in **Poland** because of the strikes of June 1976, and in **Romania,** the **CSSR** and elsewhere because of the

upsurge of human rights activism. A Briefing Paper on the **CSSR** was published in March 1977, and initial work on a similar publication about the **GDR** was well underway by June 1977. In the **USSR** the Research Department continued to expand its adoption program (the largest in Europe) and launched campaigns to focus attention on conditions in Vladimir Prison and the continuing abuse of psychiatric methods for the control of political dissent.

The Research Department has tried throughout the year to maintain the standards expected of it: to carry on with Amnesty International's methods of work and at the same time explore new techniques; to live up to the challenge posed by Amnesty International's growth and to give the best possible service to the organization in its struggle to liberate Prisoners of Conscience and abolish torture and the death penalty.

AFRICA

A series of well publicized human rights violations focussed international attention on **Africa** in 1976-1977 and highlighted the need for more effective remedies to be found for dealing with the problems raised both by the situations in individual countries and international disputes. The incidents that stood out most sharply—the Soweto killings in **South Africa,** the murder of Archbishop Luwum in **Uganda** and imprisonment of former Organization of African Unity (OAU) Secretary General Diallo Telli in **Guinea**—were not only significant in their own right but symptomatic of deeper, more fundamental problems affecting the individual countries concerned and the social, political and economic well-being of **Africa** as a whole. Similar problems were apparent throughout the continent and were reflected both by internal political crises and by international confrontations such as that between **Kenya** and **Tanzania,** which led to the virtual collapse of the East African community. **Ethiopia,** Africa's oldest independent nation, appeared to be on the verge of political disintegration in mid-1977 as secessionist wars in Eritrea, Tigre and other regions were met with massive violations of human rights by the ruling military Government. The **Seychelles,** one of Africa's newest nations which achieved independence from **Great Britain** on 28 June 1976, had already experienced a leadership coup one year later.

Well aware of such problems, and conscious of their effects upon individual human rights, Amnesty International continued in 1976-1977 to work for Prisoners of Conscience, victims of torture and those threatened with the use of the death penalty in **Africa.** In doing so, the movement pressed for closer adherence to the fundamental principles laid down in the United Nations *Universal Declaration of Human Rights.*

The use by African governments of long-term detention without trial to suppress political opposition and punish suspected dissidence remained one of Amnesty International's principal concerns. Releases in countries like **Zambia, Togo** and **Malawi** were more than outweighed by increasing detentions in **Rhodesia,** where the total number of long term political detainees rose from 700 to more than

1,000, and **Angola**, where many new arrests occurred following an abortive coup in May 1977. In **Guinea**, where there is a most intractable situation, a conservative estimate puts the number of detainees at more than 1,000. In **Ethiopia**, hundreds of detainees, including many women, have been held continuously and in appalling conditions since the overthrow of Emperor Haile Selassie in late 1974. In **South Africa**, mass arrests and detentions followed the outbreak of civil unrest in Soweto and other Black South African townships in June 1976.

The conditions under which detainees are held also gave grave cause for disquiet. In several countries, governments have abused both the letter and spirit of their own security laws. In **Malawi**, for example, detention orders officially valid for only 28 days were commonly extended for indefinite periods. A group of Namibian nationalists detained in **Zambia** were suddenly transferred to detention prisons in **Tanzania** in July 1976 when it became clear that the Zambian courts were about to order their release.

Most tragically, some political detainees did not survive. In **Ethiopia**, Princess Ijegayehu Asfa-Wossen died in January 1977 following an operation for an illness reportedly contracted in custody. In May, former President Modibo Keita died while under house-arrest in **Mali**. He had been detained continuously since his overthrow in November 1968. In **South Africa**, at least 18 political detainees died while in security police custody. They were variously said to have thrown themselves from upper-storey windows, to have died from natural causes, or to have committed suicide by hanging.

In 1976-1977, Amnesty International received allegations of torture from a number of countries, including **Guinea**, where torture is reportedly used against detainees held at Camp Boiro and other places. The torture of prisoners was also reported in **Sudan, Tanzania** and **Ghana**. In the white-minority states—**Rhodesia, South Africa** and **Namibia**—it became evident that the torture of political detainees is now official policy. Indemnity acts exist in each of the three countries to prevent the criminal prosecution of those responsible for torture and other atrocities against the civilian population. In all three countries, also in **Morocco** and **Tunisia**, allegations of torture were officially disregarded when made in courts of law by defendants and witnesses at political trials. In **Uganda, Ethiopia** and **Equatorial Guinea** the situation is even more desperate. There, torture, massacres of civilians and the government-sanctioned murder of political opponents have proceeded unchecked to the extent that they have now become commonplace. In **Namibia** and **Rhodesia**, there is a similar trend, as the minority regimes adopt ever more ruthless methods in an attempt to resist progress towards African majority rule.

One aspect of the Rhodesian situation which has been of particular concern to Amnesty International has been the continuing use of the death penalty and the execution, in secret, of more than 60 people convicted of security offences. In **Ethiopia** also, many executions were carried out in 1976-1977. In **Sudan**, an attempt to overthrow the Government of President Jaafar al-Nimeiri in July 1976 resulted in the execution one month later of 98 people sentenced to death after summary trial by court martial. In March 1977, former Congolese Head of State Alphonse Massemba-debat was among seven people summarily executed following the assassination of President Marien Ngouabi.

Amnesty International's concern over violations of human rights in **Africa** was reflected in 1976-1977 by the steady growth of its individual prisoner adoption program and increased activity on other fronts. The Africa Section of the Research Department produced two major publications, the *Amnesty International Briefing on Malawi* released in August 1976 and the *Amnesty International Briefing on Namibia* published in April 1977. In addition, major submissions on **Uganda** and **Ethiopia** were presented to the UN Commission on Human Rights and a submission on Ethiopia was made to the United States Congress Foreign Relations Sub-committee on Africa. A statement on political imprisonment and the use of torture in **South Africa, Namibia** and **Rhodesia** presented to the UN Commission on Human Rights *Ad Hoc* Working Group of Experts on Southern Africa in July 1976 was subsequently published by the UN. Amnesty International also prepared documentation for, and participated in, a Non-Governmental Organization Symposium on the Situation of Political Prisoners in Southern Africa held in Geneva in July 1976.

Amnesty International observers attended political trials in **Morocco** in July-August 1976 and January 1977, **Rhodesia** in September 1976 and **Tunisia** in June 1977. Permission for an observer to attend the trial of the distinguished Ghanaian poet Kofi Awoonor was withdrawn by the Ghanaian authorities shortly before the trial started in August 1976. High level missions from the International Secretariat were sent to conferences in **Kenya** and to **Tanzania**, and the organization was represented also at the UN-sponsored International Conference in support of the Peoples of Zimbabwe and Namibia held in Maputo, **Mozambique**, in May 1977.

In addition to their regular work on behalf of individual prisoners, Amnesty International groups, Coordination Groups and National Sections participated in several campaigns during the year. These were held in October, November and December 1976 to coordinate appeals for the release of prisoners in **Morocco, Mali** and **Tanzania**,

and in March and June 1977 for prisoners in **Morocco** and **Tunisia.** Groups working for prisoners in **South Africa, Rhodesia** and **Namibia** campaigned both for the release of prisoners and against the use of torture in April and June 1977. There was a campaign against the use of the death penalty in **Rhodesia** in April 1977, precisely two years after the régime announced that all future executions would be carried out in secret. Also in April, Amnesty International groups and National Sections made coordinated protests against widespread violations of human rights in **Uganda.**

In 1976-1977, as in previous years, it was impossible to measure the success of Amnesty International's activities; nor was any attempt made to do so. However, clearly there were some successes just as, in some cases, governments were less responsive than expected to representations made by the organization on behalf of particular prisoners or as regards more general human rights problems. What was also clear was that much still remains to be done in **Africa,** as in the rest of the world, to ensure closer adherence by governments to the fundamental principles laid down in the UN *Universal Declaration of Human Rights* and to afford assistance and protection to individual victims of human rights violations. While this task remains, Amnesty International's work will continue.

Algeria (People's Democratic Republic of)

During the latter half of 1976, the process of the constitutional legitimization of the regime of President Houari Boumedienne was speeded up. It was completed early in 1977. A new constitution was adopted on 20 November 1976 in a national referendum. On 10 December 1976, President Boumedienne was elected Head of State with a six-year mandate; and on 25 February 1977 the first Algerian Parliament in 12 years was elected.

Amnesty International continued its work on the case of former President Ahmed Ben Bella, adopted in September 1967 following his overthrow in June 1965, and at present under strict house-arrest. The organization appealed to President Boumedienne on the occasion of his election to reconsider the case of Ben Bella and grant him his freedom. So far there has been little indication that these appeals have been effective.

Reports of the arrest and detention of political dissidents continued to reach the Research Department from different sources, but it has been difficult to investigate and confirm them and few details of political prisoners in Algeria have been available.

In January 1977, the organization was asked to intervene in the case of Mr Jean Macé, a French national and former employee of SONATIBA construction company in Algiers, who had been held in Oran Prison for over 18 months without trial. Amnesty International was concerned about this long period of detention without trial, and in January 1977 appealed to the Algerian Minister of Justice to bring Mr Macé to trial or release him. No response has been received.

Early in 1977, the organization received information about Dr Abiad, a doctor and Lebanese national. It was reported that Dr Abiad, aged 63, was arrested in December 1974 and detained in a military prison in Constantin until March 1976 when he was transferred to Medea Prison; and, according to the latest report, he was then transferred to Berroughia Prison. Dr Abiad was employed by the *Société Nationale de Siderurgie* at the El Hadjar Factory. The reason for his arrest and subsequent detention without trial was not known. Amnesty International made enquiries at the Algerian and Lebanese diplomatic missions both in London and Paris, also directly asked the Algerian authorities for information, but with little result. Inquiries into the case are still being made.

Mr Mustapha Bziouit, a Moroccan journalist, was reported to have been detained in an Algerian military prison since January 1976 under conditions which Amnesty International's sources of information described as alarming. Although the reasons for Mr Bziouit's detention were not known, the organization was concerned about reports that he had been severely tortured and had not been brought to trial. So far, Amnesty International's inquiries have yielded no results but the case is still being investigated.

Angola (People's Republic of)

In 1976-1977 Amnesty International continued investigating the cases of a variety of people reportedly detained for political reasons. They included members of the Active Revolt, a dissident faction within the ruling Popular Movement for the Liberation of Angola (MPLA), and a group of Portuguese and other foreign nationals suspected of sympathizing with the rival National Union for the Total Independence of Angola (UNITA) and National Front for the Liberation of Angola (FNLA)—all nationalist organizations. The number of detainees was expected to increase significantly following an unsuccessful attempt to overthrow the Government of President Dr Agostinho Neto in May 1977. In fact, after the attempted coup, more than one hundred arrests were reported to have occurred in

Luanda alone. Those detained included a number of Portuguese nationals and Angolan supporters of Nito Alves, who was dismissed as Minister of the Interior by President Neto in late 1976. Mr Alves and a colleague, Jose Van Dunem, were both dismissed from the Central Committee of the MPLA only days before the attempted coup.

President Neto announced that he would adopt harsh measures in dealing with those involved in the coup attempt after it became clear that several senior government officials had been killed by Alves' supporters. Both Mr Van Dunem and Mr Alves were reported to have been arrested by late June.

While deploring the violent attempt against his Government, Amnesty International appealed to President Neto in June to ensure that detainees were not ill-treated during interrogation and that those responsible for the coup should be charged and given a fair trial in open court.

One year before, in June 1976, the organization appealed to President Neto, himself a former Prisoner of Conscience whose case it had taken up, to exercise clemency on behalf of four mercenaries sentenced to death in June 1976. Amnesty International made this appeal because of its opposition to the use of the death penalty in all circumstances. It was, however, unsuccessful; the mercenaries were executed by firing squad on 10 July.

These four death penalties were imposed following a well-publicized "show" trial of 13 foreign mercenaries captured during the course of the Angolan civil war. They had all been employed by the FNLA. The trial, which was held in June 1976 in the presence of a team of specially invited international observers, was conducted before a People's Revolutionary Tribunal in Luanda. The defendants were accused of various crimes, including in two cases the murder of other foreign mercenaries and with the newly-defined crime of "mercenarism". They were all convicted. Sentences ranging from 16 to 30 years were imposed on the nine defendants who did not receive the death penalty.

In a subsequent report on the trial written by Canadian jurist and Amnesty International member George H. Lockwood, one of the international observers invited to Luanda, it was argued that no crime of mercenarism did in fact exist under Angolan law at the time the mercenaries were captured. However, he felt that two of the four mercenaries sentenced to death had been rightly convicted of murder.

Amnesty International continued to work on five adoption cases with very little information on the conditions of the political prisoners being available. Two of them were reported to have quite serious health problems.

The three former Presidents, Hubert Maga, Justin Ahonadegbé and Sourou-Migan Apithy, whose restriction was mentioned in *The Amnesty International Report 1975-1976*, were still being held under house arrest, according to some sources.

A coup or invasion attempt which took place on 16 January 1977 seems to have led to a deterioration of the human rights situation in Benin. Several people were reported to have been arrested and detained during a subsequent house-to-house search.

At the time of writing, available information does not indicate what happened to the detainees, including one of the captured invaders, who was interviewed by a team of Organization of African Unity (OAU) delegates who visited Benin after the crisis.

It was, however, confirmed that the invasion attempt had hardened the official attitude towards political dissidents and had made the Government more determined to achieve political conformity within the one-party system.

In May 1977, the Research Department learnt of the arrest and detention of four people, apparently not connected with those reported arrested and detained after the 16 January incident. These reports are still under investigation.

In April 1977, it was learnt that Mrs Yvette Adjovi, a French national and widow of the late Mr Adjovi, a former Beninese Minister of Education, was arrested in early February 1977 in Cotonou where she was an assistant lecturer at the University of Benin.

Yvette Adjovi was allegedly held on the grounds that she was the last person seen at the airport with a Beninese student who was leaving for a study program on a government scholarship, but who, on arrival, wrote to the authorities deploring their actions and then renounced his government sponsorship.

Yvette Adjovi lost her husband eight years ago and she is the mother of six children and has one adopted child. Sources close to Amnesty International report that indirect appeals to the French Embassy in Cotonou had been to no avail. The organization has begun to investigate the report of Yvette Adjovi's arrest.

Alleged official censorship, fear of official reprisals and the absence of a free flow of information are major obstacles to investigating and confirming available reports and seeking further information on the number and treatment of political prisoners in Benin.

Botswana (Republic of)

The situation of political refugees from surrounding countries remained Amnesty International's main preoccupation in Botswana in 1976-1977. Increased repression in South Africa, following the outbreak of widespread civil unrest in Soweto and other black townships in June 1976, led many hundreds of black South Africans to seek refuge in Botswana. They included several former political detainees and people restricted under banning orders, whose cases had been taken up by Amnesty International. The International Secretariat and individual groups gave relief to such refugees and contacted the UN High Commissioner for Refugees and other specialist refugee organizations in order to facilitate their future settlement.

Throughout the year, there was also a constant influx of refugees from Rhodesia, where the war between African nationalist guerrillas and the forces of the Rhodesian Front régime reached a new intensity during the year. The most widely publicized incident occurred in February 1977 when some 400 schoolchildren from the Manama mission in southwest Rhodesia crossed into Botswana. Claims by the Rhodesian régime that the students had been abducted by African nationalist guerrillas were denied by the Botswana Government. Delegates from the International Committee of the Red Cross were permitted to interview the students at a refugee camp near Francistown.

The acrimony which this and other border incidents aroused between Botswana and Rhodesia was reflected by the arrest and prosecution of three Rhodesian journalists reporting the Manama mission incident. Sentenced to six months' imprisonment for entering Botswana illegally and while in possession of a weapon, the journalists were freed by the Botswana High Court at the end of March 1977 on the grounds that the sentences imposed were excessive.

The same month, the Rhodesian Appeal Court decided that four men abducted from Botswana by Rhodesian security forces in 1976 could not stand trial in Rhodesia and should be returned to Botswana. The Appeal Court ruled that the four, three of whom had been charged with guerrilla activities, had been illegally abducted from Botswana and could not, therefore, be considered to come within the jurisdiction of the Rhodesian courts. However, Rhodesian law was then amended to provide for the prosecution of such foreign nationals captured outside Rhodesia by the régime's security forces.

Amnesty International has no adopted prisoners in Botswana.

Burundi (Republic of)

On 1 November 1976 President Michel Micombero was overthrown in a bloodless coup led by the Deputy Chief of Staff of the Burundi Army, Lieutenant Colonel Jean Baptiste Bagaza. The former President, who also came to power as the result of a coup in 1966, was arrested with several of his ministers, but Amnesty International has received no information about possible charges or trials.

The re-constituted Supreme Revolutionary Council consisting of 30 officers led by the new Prime Minister, Lieutenant Colonel Bagaza, promised a "just democratic society" and a commitment to "democratic centralism", based on a revival of the *Union et Progrès National* (UPRONA—Union and National Progress) party, which would eventually replace the Revolutionary Council.

In early 1977 Amnesty International made inquiries concerning the case of a refugee from Rwanda who was alleged to have been detained without trial and ill-treated. However, the organization learnt of his release in April. Generally, Burundi appears to have settled down to a period of relative stability and reconciliation after the massacre and huge exodus of Hutu refugees during 1972.

Cameroun (United Republic of)

During late 1976, Cameroun was selected as one of Amnesty International's priority countries in French-speaking Africa. Following the release of 50 political detainees—including five adopted by the organization—in May 1975, Amnesty International continued to handle the cases of three political prisoners who were believed not to have benefitted from the amnesty.

In July 1976, more than 400 people were reported arrested during what appeared to be an official action against political dissidents. In January 1977, however, while Amnesty International was still investigating the alleged arrests, an unknown number of those arrested were released, according to reports reaching the International Secretariat. In March 1977, Amnesty International took up more than 50 cases for investigation, subsequently followed by another 70.

At the time of writing, there was no official indication of the reasons for the July arrests, though available reports indicated that those arrested were either associated with the distribution of anti-government leaflets or suspected of association with the banned

Union des Populations du Cameroun (UPC). According to reports, those who were released in January 1977 were neither charged nor tried, and those who were still in detention had not been tried at the time of writing.

It was also reported that a number of those arrested were later transferred to Tcholiré detention camp in northern Cameroun where prison conditions are said to be harsh and detainees are subjected to ill-treatment. Others were reported to be held in the Yaoundé Central Prison, in Yoko, and elsewhere in Cameroun.

The case of Albert Mukong, a prominent politician (from the anglophone Western Cameroun) who was arrested in Bamenda between May and June 1975 and detained in Danga-Matune Prison, near Nkambe in West Cameroun, was also taken up in March 1977 for investigation, since there was no indication of his having been tried.

Amnesty International is continuing to investigate the reported arrests with a view to taking up more cases.

Central African Empire

In December 1976, President Jean-Bedel Bokassa proclaimed the Central African Republic an empire and himself Emperor Bokassa I.

On 8 December 1976, Amnesty International cabled a message of congratulations to the new Emperor, also requested him to grant a general amnesty to all political prisoners in the Empire.

Two days later, Amnesty International received a reply which stated that the Emperor had decreed "imperial grace" for all prisoners in the imperial territory, and that they would be released step by step with the exception of a small group of not more than seven people who were condemned for crimes against state security and for embezzlement of large amounts of public funds.

The cable stated that the United Nations resident representative in Bangui had been invited to visit the central prison after the releases.

The response included an invitation to Amnesty International to attend the Emperor's coronation ceremony at a date to be fixed later. As a follow-up to the announcement of a general amnesty, Amnesty International wrote to the authorities for detailed information on the group of seven who would not be affected by the imperial clemency.

Groups have been working on two adopted cases in the Central African Empire, Jean-Richard Sandos, the Secretary-General of the *Union Générale des Travailleurs Centrafricains*, and his deputy, J.B. Malikanga. Amnesty International is attempting to establish

whether or not these two prisoners were freed in the December 1976 amnesty.

Chad (Republic of)

Following the seizure of power by General Felix Malloum in April 1975, the human rights situation in Chad improved considerably compared with the situation prevailing under the régime of President Ngapta Tombalbaye. According to available reports, however, some political prisoners remained in detention.

On 26 March 1977, the State Security Court sentenced to death four members of the secessionist National Liberation Front (FROLINAT) for their part in the attempted murder of President Malloum on 13 April 1976 during a public ceremony in N'djamena, in which six people were killed and more than 70 injured. On 31 March 1977, Amnesty International cabled the Chadian Head of State, appealing for a commutation of the death sentences passed on Hassan Abakar Adef, Djibrine Aderamane, Idriss Djarma and Mahamat Taher. They were, however, executed on 4 April 1977.

On 6 April 1977, seven soldiers and two civilians were executed by a firing squad; they were allegedly the ringleaders of an abortive coup on 1 April 1977 in which eight people were killed including an army chief of staff, Lieutenant Colonel Ali Dabio.

Amnesty International was relieved to hear of the release on 30 January 1977 of Madame Françoise Claustre after nearly three years of captivity in the hands of rebel Toubou tribesmen in northern Chad. The release of Madame Claustre, together with her husband, put an end to a situation in which any possible Amnesty International intervention was impeded by the fact that President Malloum's new Government did not appear to be in a position to influence the rebels and did not wish international organizations to act as mediators.

Comoros (The)

The Comorian state consists of the three Indian Ocean islands which unilaterally declared independence from France in July 1975, and it was admitted to the United Nations in November 1975. The fourth island, Mayotte, voted in a referendum in February 1976 to remain a French territory, despite UN and Organization of African Unity (OAU) calls in 1976-1977 to France to end its dependent status. Since April 1976 a number of prominent Comorian politicians have

been detained for allegedly plotting to overthrow Head of State President Ali Soilih, but promises of an early trial have not been fulfilled.

In May 1977, Amnesty International wrote to President Soilih concerning reports of incidents of torture reportedly inflicted on Comorian civilians, particularly on the island of Anjouan, by soldiers under the command of military advisers recruited from various African countries to train the new army. The organization has received no replies to its inquiries and has requested that these reports be fully investigated. A major Comorian problem since December 1976 has been the repatriation and resettlement of an estimated 60,000 Comorians from Madagascar, following the massacre of 21-23 December 1976 (see *Madagascar*).

Congo (People's Republic of)

At the time of writing, there was no indication that Kondho Anatole, the Secretary-General of the Congolese Labour Confederation, and his deputy, who were arrested in March 1976, had been tried or released.

Throughout most of the year, the human rights situation in Congo appeared to be relatively calm. However, on 18 March 1977, President Marien Ngouabi was assassinated in Brazzaville, allegedly by some elements in the Congolese army; and five days later on 23 March, Cardinal Emile Biayenda, the Roman Catholic Archbishop of Brazzaville, was assassinated, allegedly by members of President Ngouabi's family.

Following the assassinations, seven people were executed on 26 March 1977, including a former Congolese Head of State, Alphonse Massemba-Debat; several others, all allegedly implicated in the assassination of President Ngouabi, were convicted, seven of them being sentenced to life imprisonment, including Professor Pascal Lissouba; others were reportedly being detained without trial.

On 29 March 1977, Amnesty International cabled the Military Committee to express sympathy at the assassinations and, at the same time, to deplore the executions and appeal to the new Head of State, Colonel Joachim Yhombi-Opango, not to allow further executions.

In April 1977, Amnesty International learnt that Professor Lissouba, alone of the political prisoners convicted in March, had been transferred from Brazzaville to Ouesso, a remote detention center in the north of the Congo where it was feared that his life might be in

danger. Amnesty International again cabled the Head of State, on 4 May, urging him to safeguard Professor Lissouba's life and to consider transferring him back to Brazzaville, and to allow family visits to him and the other prisoners.

On 4 May 1977, the organization also cabled the International Committee of the Red Cross requesting it to try to get permission for the prisoners to receive family visits. Two days later, Amnesty International initiated an Urgent Action on the case of Professor Lissouba.

The establishment of a new government in the Congo following the assassination of President Ngouabi, who had received Amnesty International's Deputy Secretary General in January 1976, made it necessary to re-introduce the organization to the Congolese Government. In May 1977, therefore, Amnesty International wrote to the Government explaining the organization's work and expressing its wish to re-establish the relationship broken off by President Ngouabi's assassination.

Ethiopia

The human rights situation in Ethiopia deteriorated drastically in 1976-1977. Amnesty International continued to make urgent appeals to the Ethiopian authorities to improve the position but without apparent success. The situation in Eritrea, where three secessionist movements are fighting for the self-determination of the province (a former Italian colony and United Nations mandated territory), continued to cause concern. Secessionist movements are also operating in other regions of Ethiopia, and unrest and political violence in the country as a whole reached a very high level in mid-1977.

Amnesty International's main action during 1976-1977 was the drawing up of a detailed statement on human rights violations in Ethiopia for the United States House of Representatives Foreign Relations Sub-committee on Africa, chaired by Congressman Charles Diggs. This was presented on 28 March 1977 by Swedish doctor and Amnesty International member Arnt Meyer-Lie, former Director of Ethiopia's medical services, who had visited political prisoners in Ethiopia in 1976. The statement began as follows:

> "Amnesty International is very concerned about the deteriorating human rights situation in Ethiopia. During the government of Emperor Haile Selassie, Amnesty International campaigned actively against arbitrary and long-term detentions without trial, the use of torture and the conditions under which political prisoners were

held. However, since the Provisional Military Administration Council (*Derg*) came to power by coup d'etat in 1974, there has developed a consistent pattern of widespread gross human rights violations, especially in recent months, which Amnesty International regards as a matter for urgent international concern."

The statement documents the legal situation in which military tribunals (and, more recently, "neighbourhood" tribunals) may impose death penalties by summary trial for a wide range of political offences (including "sympathising with counter-revolutionary organizations"). Amnesty International noted with disquiet that the practice of extra-judicial execution had become widespread. The statement also described the conditions of some political detainees, including the women detainees visited by Dr Meyer-Lie in March 1976, and presented evidence on the use of torture. The organization estimates that at least 8,000 people are detained on political grounds in Ethiopia.

Amnesty International was later criticized by the *Derg* for its "venomous" and "counter-revolutionary" propaganda. Shortly before the submission was made, the US administration had stopped a small grant of military assistance to Ethiopia, but after US military advisers and the US consulate in Eritrea were expelled in April, the US Government decided to stop all future weapons' shipments to Ethiopia, because of the gross human rights violations. The US had hitherto been the main arms supplier of the Ethiopian military régime, but has now been replaced in this capacity by the Soviet Union and other Eastern bloc countries.

Amnesty International's concern was communicated earlier to the Ethiopian Government, in a letter addressed to Head of State Brigadier General Teferi Bante on 8 December 1976. The organization urged adherence to the various articles of the *Universal Declaration of Human Rights*, especially as regards the legal system, the use of the death penalty, the practice of extra-judicial execution and the conditions of detention. Amnesty International had previously cabled the Head of State concerning an amnesty for 209 prisoners on 26 August 1976, when it had urged a full amnesty of all political prisoners. In November, it protested against the execution of 50 people (on 2 and 15 November 1976). It urged clemency on humanitarian grounds for those sentenced to death, and expressed concern over the official explanation that these people were executed for being "counter-revolutionaries". Amnesty International heard that one of those executed was under 18.

The continued detention of about 100 women and young girls also caused concern, since they were apparently being held as "hostages" for their relatives who were actively opposing the *Derg*. On 31 January 1977, Ijegayehu Asfa-Wossen, daughter of the former Emperor, died in hosptial. This was probably due to bad detention conditions and lack of proper medical treatment. Amnesty International cabled Brigadier Teferi Bante expressing deep shock at her death and urging that all women detainees be released. The following day (3 February 1977) Teferi Bante was shot dead with six other *Derg* members, and Lieutenant Colonel Mengistu Haile Mariam became the new chairman of the *Derg* and Head of State. He announced that Teferi Bante had been "executed" for "collaborating with counter-revolutionary organizations". Amnesty International again appealed for the release of women detainees on International Women's Day, 8 March, but without any positive result.

The organization has been active in protesting against the continued killings of students and others suspected of belonging to, or sympathizing with, the clandestine Ethiopian People's Revolutionary Party (EPRP). The atrocities committed by the security forces against these youths, teachers, academics, trade unionists, women and others, are the most serious human rights violations being committed in Ethiopia at present. At several anti-government demonstrations in 1976 (notably on May Day) large numbers of youths were shot in Addis Ababa and other towns. Towards the end of 1976 in particular, house-to-house searches by the army resulted in many summary killings and arrests. A disturbing feature of this pattern of events is the number of alleged secret killings of detainees in custody. Torture of political detainees is also widely practised.

These killings increased substantially after 3 February 1977 when the new *Derg* chairman announced that the revolution would "move to the offensive" and he urged the army and newly formed "people's militia" to "dispense revolutionary justice" and "liquidate counter-revolutionaries". "Revolutionary justice" in this context means summary killings without trial of all suspected enemies of the military régime. Since then there have been reports of frequent large-scale arrests of students, with a substantial number of them being killed. The worst incident was the massacre of 29 April 1977. That night, about 500 youths, some demonstrating against the *Derg* and distributing anti-*Derg* pamphlets, were shot dead by the people's militia and the army. The killings continued into the next week, when the death toll rose to around 1,000. The *Derg* totally denied reports of this massacre, dismissing them as "imperialist propaganda", but Amnesty International is convinced that the reports from journalists and diplomatic sources are substantially correct. The Secretary General of the Swedish Save the Children Fund stated on 16 May 1977 that

"about 1,000 children have been massacred in Addis Ababa and their bodies, lying in the streets, are ravaged by roving hyenas". Amnesty International protested against this massacre and cabled the UN Secretary General Kurt Waldheim and OAU Secretary General Eteki Mboumoua, requesting their urgent intervention to stop further killings.

Amnesty International also protested on 4 April 1977 about the resumption of public executions, in the case of six men sentenced to death by court martial on 2 April. They had been convicted of murder and torture, carried out especially by one man in his capacity as chairman of one of the urban dwellers' associations established by the *Derg*. The published details of torture and abuse of power carried out by these pro-government leaders corroborated other similar evidence received by Amnesty International. The organization is not convinced that sufficient steps have been taken by the *Derg* to bring about a major improvement in this situation.

In June 1977, Amnesty International made a lengthy submission to the UN Commission on Human Rights, under its confidential procedure, describing human rights violations in Ethiopia.

Ghana (Republic of)

Amnesty International's main concern about human rights in Ghana during the summer of 1976 focussed on the fate of a number of people arrested during November and December of 1975, when the Ghanaian authorities announced that they had uncovered a plot aimed at overthrowing the Government of General Ignatius Acheampong, which itself came to power by a coup in January 1972.

In May 1976, eight people were brought to trial before a military tribunal in Accra, charged with subversion, conspiracy to commit subversion and concealment of subversion. During the trial, which was attended by foreign observers, several of the accused alleged that they had been tortured. Amnesty International asked the Ghanaian High Commission in London to allow it to send an observer to this trial, but permission had not been given when, in late July, the tribunal concluded its hearings. Five of the accused were sentenced to death, two given prison sentences of 20 and 15 years, and one was acquitted. Amnesty International immediately launched an Urgent Action appealing for the commutation of the death sentences, which, at the time of writing, have not been carried out.

In August 1976, two new political trials began. One, before a

military court, involved four soldiers held in connection with the alleged 1975 coup attempt. The second was the trial of the prominent Ghanaian poet Kofi Awoonor, arrested in late December 1975, and charged with helping Brigadier A.K. Kattah, the supposed ringleader of the coup attempt, to escape from Ghana at the end of 1975.

Dr Awoonor was tried before a Special Court in Accra, and once more Amnesty International attempted to send a legal observer. A visa to visit Ghana and attend the trial was in fact issued to British magistrate and Amnesty International member Sir Osmond Williams, but this was cancelled at the last moment without explanation. Dr Awoonor's trial ended in October 1976 with his conviction on a charge of subversion. He was sentenced to 12 months' imprisonment. However, the sentence was immediately remitted by the authorities and he was freed.

The following month the trial of the four soldiers before a military court ended with two death sentences, one sentence of 19 years' imprisonment, and one acquittal. Once again, Amnesty International appealed for a commutation of the death sentence, which by July 1977 had not been carried out.

During the year Amnesty International groups worked on the cases of three men who, in November 1975, received prison sentences ranging from five to eight years with hard labour on sedition charges in connection with the circulation of a pamphlet critical of the Government's economic policies. The heaviest sentence was imposed on J.H. Mensah, a former Minister of Finance in Ghana's last civilian Government, who had previously been adopted by Amnesty International when held without trial following the coup in 1972 which brought the present Government to power. Amnesty International adopted all three people convicted in the November 1975 trial, who are serving their prison sentences pending appeal. Mr Mensah's case was featured in the *Amnesty International Newsletter* postcard appeal in January 1977. The organization subsequently learned that Mr Mensah has been moved from Nsawam Prison, near Accra, to a remote prison in the Volta region of eastern Ghana. In mid-1977, reports stated that he had been moved back to Ussher Fort Prison, Accra.

Significant changes were made in Ghanaian legislation dealing with political offences in 1976. During May, a number of amendments were made to the Subversion Decree originally issued by the military Government in 1972, making the rulings of military tribunals immune from challenge in other courts of law. In September, an amendment to an earlier decree prescribed the death penalty for any person organizing or promoting the secession of any part of Ghana.

The Ghana Bar Association reacted to the continued use of military tribunals to try civilians by calling on the Government in September to abolish them as contrary to "natural law and justice". The authorities did not comply with this demand.

The military Government took the opportunity presented by the fifth anniversary of its seizure of power (January 1977) to announce an amnesty commuting to life imprisonment death sentences imposed on all prisoners other than those convicted of subversion. With the same qualification, it also reduced life sentences to 10 years with hard labour, and remitted half of the sentences of all prisoners who had served less than three years. It is not known whether any political prisoners benefitted from this amnesty. However, just before the announcement of the amnesty, a former cabinet minister, Mr Kojo Botsio, who was serving a life sentence after conviction by a military tribunal on a charge of subversion in 1973, was released on account of his failing health. In early 1977, Amnesty International heard that another political prisoner, David Afful Bimpong, who had been sentenced to 25 years' imprisonment by a military tribunal in late 1972 for concealment of subversion, had died in prison at Yendi in October or November of the previous year. Amnesty International subsequently approached the Ghanaian High Commission in London for further details about this case.

Guinea (Republic of)

Since the release of Pierre Xueref (an Amnesty International investigation case) in July 1975, the organization has not taken up any other case in Guinea, but has been closely studying the human rights situation in that country.

Appeals continue to reach the organization from several sources for intervention on behalf of political prisoners in Guinea whose numbers according to current information can be conservatively estimated at more than 1,000. They include long-term detainees, some held without trial since 1969, and more than 100 who have been condemned to death or life imprisonment.

Among those serving life sentences is Raymond-Marie Tchidimbo, Archbishop of Conakry, who was sentenced (with hard labour) in December 1970 for refusing to read from the pulpit an official document in which the Christians were summoned to support the Guinean revolution and the liberation from "imperialism". Several appeals have reached Amnesty International, requesting the organization to intervene on his behalf.

Amnesty International continues to receive reports of the systematic use of torture in several detention camps in Guinea, especially in Camp Boiro. Torture is said to be used to extort confessions from detainees and to oblige them to sign prepared documents. Information from reliable sources describes the systematic use of many forms of torture including starvation and prolonged solitary confinement. Underfeeding, exposure to excessive heat during the day and to cold at night, malaria, lack of adequate toilet facilities and very poor general sanitary conditions, all combine to cause chronic illness. Some detainees have gone blind, while others have had their eye-sight seriously impaired; some are temporarily or permanently maimed, as a result of torture, according to reliable reports. There have also been reports of deaths resulting from torture, disappearances and summary executions.

In Guinea there are said to be arbitrary arrests, detentions without trial and other forms of political persecution. Although it has been impossible to undertake an on-the-spot investigation of these reports, the regularity with which they reach Amnesty International and their confirmation by eye-witnesses gives them considerable credibility. Confronted by such a situation, the organization has attempted to make initial contact with the Guinean authorities with a view to intervening on behalf of political prisoners in Guinea and sending a mission to that country.

Meanwhile, Amnesty International did intervene, though not directly, on behalf of Diallo Telli, first Secretary General of the Organization of African Unity and former Minister of Justice in Guinea, who was imprisoned in 1976, by requesting the OAU to ensure that his life was spared. At the time of writing, Diallo Telli's fate is not known. Earlier information suggested that a confession allegedly made by him was extracted under torture.

Amnesty International protested to the French Government in November 1976 against the seizure of a book by former prisoner Jean-Paul Alata, which describes conditions in Camp Boiro where he spent over four years in detention; he was among the 18 French and German prisoners in Guinea who were freed in July 1975.

On 8 June 1977, the US-based International League of Human Rights published a report on the human rights situation in Guinea, which also formed the basis of a communication from the League to UN Secretary General Kurt Waldheim. The 300-page report estimated the number of political prisoners in Guinea at more than 3,000, most of them detainees held without charge or trial. The League alleged that political prisoners were liable to torture, murder, arbitrary execution, or starvation in Guinea's detention camps, the most notorious of which is Camp Boiro.

Amnesty International cabled President Toure on 10 June to express concern over the allegations of human rights violations contained in the League's report.

Guinea (Republic of) Equatorial

During the period covered by this report, Amnesty International continued to receive allegations of torture, disappearances and forced labour in Equatorial Guinea.

According to the information from exiles, mainly in Geneva and Madrid, political persecution and suppression of fundamental human rights continue unabated, and substantial numbers of refugees continue to flee the autocratic dictatorship of President Francisco Macias Nguema.

In December 1976, the Anti-Slavery Society published a substantial research report on Equatorial Guinea, which it submitted in August 1976 to the UN Sub-Commission on the Prevention of Discrimination and Protection of Minorities.

Amongst other violations of human rights, the right to communicate freely is suppressed, and religious freedom strictly circumscribed, according to the report. It also stated that torture and government-sanctioned murder have become commonplace in Equatorial Guinea, with the "disappearance" of prominent public figures, such as cabinet ministers and diplomats, being common. By 1974, the report went on, over two-thirds of the members of the 1968 Assembly had disappeared.

The report also criticized the apparent lack of international concern, especially at the UN, about these human rights violations by President Nguema's Government, which it described as "among the most brutal and unpredictable in the world".

Amnesty International has been deeply concerned about the situation in Equatorial Guinea. Although it has been very difficult to take up individual cases, information gathered by the organization substantially supports the conclusions of the Anti-Slavery Society report.

Kenya (Republic of)

Amnesty International continued, during 1976-1977, to work for Prisoners of Conscience in Kenya and to monitor as far as possible the use of preventive detention. On 6 January 1977, Attorney-

General Charles Njonjo told a visiting Austrian parliamentary delegation his views on the need for detention—"in the interests of defence, public safety and public order. . . although it causes concern to Amnesty International and the International Commission of Jurists". Amnesty International has four adopted Prisoners of Conscience in Kenya, all of them Members of Parliament. Wasonga Sijeyo was detained in 1969, John Marie Seroney (the Deputy Speaker) and Martin Shikuku were arrested in the parliament building itself and subsequently detained in October 1975 and George Anyona was detained on 4 May 1977.

Several questions have been asked in Parliament about the rights and health of detainees, and Amnesty International received disturbing information three times in 1976-1977 concerning Martin Shikuku's health. The organization wrote to President Jomo Kenyatta in December 1976, and to Vice-President Daniel Arap Moi two months later, urging that Martin Shikuku be given adequate medical treatment, and that the reasons for his detention be reviewed. George Anyona, a prominent parliamentary critic, who had asked questions in Parliament about Martin Shikuku's health was arrested in the parliament building and subsequently detained. He had also alleged corruption by senior government officials, and queried the indefinite postponement of the Kenya African National Union (KANU) national elections due to be held in April 1977. On 6 May 1977, Amnesty International cabled President Kenyatta expressing concern that George Anyona had been detained and requesting an immediate review of the circumstances of his detention.

The total number of detainees in Kenya is probably less than 10. Amnesty International is investigating the circumstances of the continued detention without trial since 1971 of Larry Mwanzia, an air-force officer, and Michael Koigi Wamwere, a politician detained in September 1975. Philip Ochieng, a journalist, was detained very briefly in July 1976 because of a newspaper article he wrote. The organization is also concerned about the political aspects of the imprisonment on criminal charges of two other parliamentary critics: Mark Mwithaga's sentence of two years' imprisonment for a minor assault on his wife was described by the East African Court of Appeal as "out of proportion to the crime committed" and the 20 months' delay in charging him for the offence was also criticized. However, the Court upheld the sentence on 22 October 1976. Chelagat Mutai also lost her appeals to the High Court in October 1976, and to the East African Court of Appeal in April 1977 against two-and-a-half years' imprisonment for "incitement to violence and disturbance of the law".

On 6 December 1976, Amnesty International wrote to President Kenyatta appealing for the release of all political detainees, but the Independence Day anniversary amnesty of 10,000 prisoners did not include any political prisoners. Amnesty International also urged clemency in the cases of those condemned to death under the "Hanging Bill" concerning robbery with violence. Several death penalties are believed to have been carried out in 1976-1977 under this Act. On 6 October 1976, the Attorney General announced that the death penalty would also be mandatory for any person who "compasses, imagines, devises or intends the death or deposition of the President". This followed renewed speculation about the presidential succession and attempts to prevent the automatic succession for 90 days of the Vice-President, but the decree has not been implemented.

In February 1977, Amnesty International's Secretary General attended a preliminary meeting organized by the All Africa Conference of Churches in Nairobi which was concerned with the situation of refugees in Africa. The Head of Amnesty International's Research Department made a similar visit to Nairobi in November 1976 to attend the UNESCO General Conference there.

Lesotho (Kingdom of)

A general amnesty granted in October 1976 on the occasion of the tenth anniversary of Lesotho's independence resulted in the release of several prisoners whose cases had been taken up by Amnesty International. They were all members of the main opposition Basutoland Congress Party and had been imprisoned following an attempt to overthrow the Government of Prime Minister Chief Leabua Jonathan in January 1974.

Amnesty International groups continue to work for the release of 26 prisoners who were not included in the amnesty.

Madagascar (Democratic Republic of)

In September 1976, about 120 people were arrested and detained in Madagascar. Most were students on strike or members of the banned MFM-MTM Party, including its leader Manandafy Rakotonorina, who had been detained several times before. The majority were released shortly afterwards but some were still being held in December 1976 when Amnesty International wrote to Minister of

the Interior M. Ampy Portos requesting further information and assurances that detainees were being well treated. Amnesty International also asked the Minister to ensure that the detainees were either charged and brought to trial or released without delay. By early 1977, Amnesty International learnt from other sources that the detainees had all been freed, and wrote to the Minister of the Interior welcoming this.

As far as Amnesty International knows, these were the only people in Madagascar imprisoned for political reasons since December 1975, when an amnesty was granted to all political prisoners on the occasion of the inauguration of the Malagasy Democratic Republic. Under President Didier Ratsiraka, the "national democratic revolution" has proceeded smoothly, with elections for a People's National Assembly being contested peacefully in June 1977 by various left-wing political organizations functioning within the overall "national front for the defence of the revolution". Little overt political activity is permitted and the press is government-controlled. A civilian Prime Minister, Justin Rakotoniaina (appointed after the accidental death of former Prime Minister Colonel Joel Rakotonolala in July 1976) presides over a largely civilian cabinet.

Human rights were severely infringed for a time in December 1976 when an unprecedented massacre took place in Majunga province. A minor family dispute provoked a massacre of Comorian migrants by Malagasys between 21 and 23 December in which large numbers were killed and injured. The Madagascar Government's figure of 120 killed differs from the official Comorian figure of an estimated 1,400 deaths. Following this incident, the Comorian Government repatriated over 60,000 Comorians back to the Comoro Islands, since it feared for their future safety.

Malawi (Republic of)

Amnesty International's concern about persistent violations of human rights in Malawi, where detention without trial and persecution of the Jehovah's Witnesses' religious sect have become characteristic of government repression in recent years, was reflected by the publication, in August 1976, of an *Amnesty International Briefing on Malawi.*

This Briefing Paper criticized the Government of Life President Dr Hastings Kamuzu Banda for using Malawi's detention laws as a means of political control and to punish suspected dissidents. At the time of publication, Amnesty International estimated that the total

number of political detainees in Malawi was more than 1,000. They included many people held under detention orders, which, according to the Public Security Regulations, are valid only for 28 days but which, in practice, are indefinitely extended. Such detainees are neither charged nor brought to trial. They remain in prison until such time as the executive power, not the judiciary, decides they shall be released. Several detainees are known to have been held without charge or trial for more than 10 years.

Amnesty International also criticized conditions at Mikuyu Detention Center near Zomba, where most of the country's long-term political detainees are held, and other detention prisons. Several detainees were reported to have become seriously ill or to have died as a result of prolonged exposure to harsh, overcrowded and insanitary prison conditions.

A significant improvement in the human rights situation in Malawi had occurred by the end of 1976 following the arrest, in October, of former cabinet minister Albert Muwalo Nqumayo and the head of Malawi's security police, Focus Martin Gwede. Muwalo Nqumayo, until his arrest the most powerful figure in Malawi politics after Dr Banda, and Gwede were generally considered responsible for many of the detentions which took place in 1975-1976, particularly those of members of the University of Malawi's academic staff. This appeared to be confirmed when, following the arrest of the two men, President Banda publicly disclaimed all knowledge of the extent to which the detention laws had been invoked.

In early 1977, Amnesty International learnt that more than 1,000 detainees had been released from Zomba Prison and Mikuyu Detention Center. These included several prisoners whose cases had been taken up by Amnesty International, former government officials and most of the university staff members detained in the first months of 1976. Several journalists who had been in detention since 1973 are believed to have been released into some form of restriction. Detainees held at Lilongwe Prison and Chichiri Prison in Blantyre were also freed.

A further group of long-term detainees was reported to have been released from Mikuyu following an "amnesty" granted by President Banda on Kamuzu Day—the 14 May annual holiday.

Muwalo Nqumayo and Gwede were charged with treason and brought to trial before a so-called traditional court in January 1977, only weeks after traditional courts had been empowered to hear treason cases. They were both convicted of plotting the assassination of President Banda and the violent overthrow of the Malawi Government and, on 14 February 1977, were sentenced to death. Their

appeals against conviction and sentence were rejected by the National Traditional Court of Appeal in April 1977.

In accordance with its policy of opposing the use of the death penalty in all circumstances, Amnesty International appealed to President Banda on 15 February urging him to commute the death sentences imposed on Muwalo and Gwede. It is not known whether they have been executed.

In June 1977, Amnesty International was informed that many Jehovah's Witnesses had been released from restriction on specific orders from President Banda and sent home for re-integration into their village communities.

Mali (Republic of)

During the past year, Amnesty International groups have continued to work on 28 adopted cases and one investigation case. These were cases of members of the former Government of President Modibo Keita, six of whom were released in November 1975 and of 14 people arrested in June 1974 and sentenced in April 1975 for criticizing the national referendum on the Constitution.

Amnesty International has continued its appeal for a general amnesty, with the hope that President Moussa Traoré would finally fulfil the pledge he had made in December that political prisoners would be released in 1975. On 13 February 1977, during the French President Giscard d'Estaing's visit to Mali, President Traoré reiterated his pledge that former President Modibo Keita would be released, but did not give any date.

Following the renewed promise, Amnesty International groups with political prisoners in Mali intensified their appeals, but on 16 May 1977 Amnesty International received news of the death of the former President, who had been held under house arrest in the capital, Bamako, since February 1977, having been transferred there from Kidal Prison, 1,000 kilometers to the north, where he had been detained since his overthrow in November 1968.

Following considerable speculation as to the cause of Modibo Keita's death, President Moussa Traoré announced on 6 June that the former Head of State had died in Bamako hospital as a result of a lung infection.

On 18 May 1977, after the funeral of Modibo Keita (at which there was no official government representation), an anti-government demonstration took place and several people were arrested. Confirming the arrests, the Director General of National Security, Lieutenant

Colonel Tiecoro Bagayogo stated that those arrested would be brought to trial if an investigation found that they had attempted to endanger the country's internal security.

Morocco (Kingdom of)

Eight major trials of political detainees took place in Morocco during July and August 1976. These trials were held at Meknes, Fez, Rabat, Settat and Casablanca. Approximately 350 people were brought to trial on various charges connected with their opposition to the Government of King Hassan. Some of the accused were charged with planning violent crimes against the Government, but the great majority were detained for their political convictions and membership of opposition parties, including the *Union Socialiste des Forces Populaires* (USFP) and the banned student groups, *Union Nationale des Etudiants Marocains* (UNEM) and *Syndicat National des Lycéens* (SNL). Many of the defendants had been in detention since 1973, and some since 1972.

The outcome of the trials was that more than 200 were either acquitted or sentenced to prison terms of less than three years, which had already been served by the time of their trial. All but two of the students and USFP members involved in these trials, whose cases were taken up by Amnesty International, have now been released. They include Abdelaziz Menebhi, a prominent student leader arrested in 1972 who was acquitted but who is now partially paralyzed as a result of ill-treatment received in detention.

Two French lawyers, Maître Francois Jemoli and Maître Laurent Hincker, attended the trials as Amnesty International observers. Both their reports contained very disturbing accounts of police behaviour in Morocco towards those detainees who are held under suspicion of being a threat to internal security. During the trials, prisoners and defence lawyers testified that periods of secret detention averaged six months and were sometimes more than a year. Ten people are alleged to have died as a result of maltreatment in detention centers since 1973, and several other detainees have disappeared. Following the disclosures in the trials of July and August 1976, Amnesty International groups organized a protest campaign, demanding an inquiry into police behaviour in Morocco.

During the election period, from November 1976 to June 1977, there was some measure of reconciliation between the King and the opposition parties. However, appeals for a general amnesty of all

political prisoners as a prelude to elections, made by the opposition parties and by Amnesty International groups and National Sections in a special campaign on 9 July, have not been heeded. In November 1976, 240 political detainees in Casablanca Prison staged an 18-day hunger strike in protest at the protracted delays in arranging their trial, and Amnesty International organized an Urgent Action to support their demand to be tried or released. These detainees were held for suspected membership of the radical socialist movement generally known as *Frontiste*. The majority were arrested in November 1974, and after periods of secret detention were brought for the first time before an examining magistrate, some in August 1975 and others in January 1976. There were further arrests during 1975 and 1976. As a result of the hunger strike of November 1976, 105 of the detainees in Casablanca Prison were released, uncharged, on 8 December, and 139 were brought to trial in Casablanca in January and February 1977. Thirty-nine others were tried *in absentia*.

Observers attending the trial on behalf of Amnesty International and several other international organizations were unanimous in condemning the conduct of the court. The rights of the prisoners to defend their cases and to be defended by their lawyers were restricted to an unprecedented degree. During the course of the trial the defendants were all expelled from the court room after staging a 48-hour hunger strike in protest at these restrictions. The evidence produced in court consisted only of marxist literature and duplicating materials, and the prosecution accepted that at the time of their arrest the defendants had only reached the stage of propagating their ideas. However, the *Frontistes* were found guilty of plotting the violent overthrow of the Government and received exceptionally heavy sentences. Forty-four were condemned to life imprisonment; 110 received sentences of between 10 and 30 years' imprisonment, and 22 received five year sentences, of which three were suspended.

Of those who stood trial in Casablanca in January/February 1977, 40 were already Amnesty International cases, including the *Frontiste* leader, Abraham Serfaty, who received a life sentence. Other cases were taken up after the trial. More than 180 Moroccan prisoners are now adopted by Amnesty International groups.

In June 1977, Amnesty International received information concerning a new wave of arrests directed against radical socialist groups and involving an estimated 300 persons, all of whom were reported detained *incommunicado* at secret security police detention centers. Persistent rumours suggest that a number of detainees may have died as a result of torture during interrogation by security police.

Mozambique (People's Republic of)

In 1976-1977 Amnesty International continued to monitor the situation in Mozambique and tried to investigate the circumstances of various detentions and reports about conditions at so-called "re-education" camps established throughout the country. However, reports issued as part of the propaganda war between the white minority régime in Rhodesia and the Mozambique Government made it more than usually difficult to obtain confirmation on specific issues.

Detailed information about the "re-education" camps was provided by refugees arriving in Portugal in March and April 1977. They claimed that more than 20 camps had been established and that the total number of people undergoing "re-education" might be as many as 100,000, among them 7,500 Jehovah's Witnesses held in a camp at Milanje. The refugees reported that camp inmates were kept under armed guard and made to engage in forced labour. Many cases of abuse by camp guards, including rape of women inmates and the summary killing of others, were also said to have taken place.

In March 1977, the Portuguese Ministry of Foreign Affairs announced that a total of 35 Portuguese nationals remained imprisoned in Mozambique. They were said to be held on a variety of charges ranging from petty offences to unspecified "political crimes". In May 1977, a number of prisoners were reportedly released as a result of an amnesty announced by the Council of Ministers. It is not known whether any of the Portuguese nationals were among those released.

In May, reports reaching Amnesty International indicated that more than 80 African nationalist guerrillas had been detained following a leadership dispute within the Zimbabwe African National Union (ZANU), the Rhodesian African nationalist organization based in Mozambique. However, it was not immediately clear whether this information was accurate as earlier reports concerning the alleged murder of one guerrilla leader and the arrest of another by the Mozambique authorities had proved unfounded.

An Amnesty International representative attended a UN-sponsored International Conference in support of the Peoples of Zimbabwe and Namibia, held in Maputo from 16-21 May.

Namibia

Mass arrests, detentions and the torture of Namibian civilians, on a systematic basis, characterized South African rule in Namibia in 1976-1977. In August 1976, a former national serviceman in the

South African army alleged publicly that he had seen many civilians tortured and killed by South African troops during military operations in northern Namibia between November 1975 and June 1976. Former soldier, Bill Anderson, who served in a South African infantry battalion during that period, said that he had taken part in one security sweep in Ovamboland called "Operation Cobra", the aim of which was to carry out a thorough search over an area of some 200 square kilometers. He reported:

> "Orders were given that every single male adult be brought in for interrogation. Orders for the whole operation were that we should shoot anyone who ran away. Every single male adult was brought in. And when I say 'adult', I should explain that some of those brought in were as young as thirteen."

Anderson said that African villagers were brought in for interrogation and ill-treated as a matter of routine:

> "Right from the beginning I saw suspects very badly treated in front of senior officers, and the senior officers didn't say anything about it. They were beaten with fists and rifle butts. They were burnt with cigarettes, their mouths were filled with sand, and they were generally very roughly treated from the moment they were captured until they were cleared at Ondongwa. They were blindfolded the whole time. As far as I know, they were given very little food.
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> "In the first couple of weeks there was a group of South African police attached to our battalion who were responsible for the interrogation. But afterwards the senior officers joined in, and later any troops who wanted to go and watch what was going on were welcome to do so. They carried on their own side-shows in taunting the prisoners who had just been interrogated or were waiting for interrogation. They were involved in the maltreatment in a very positive way, if not actually doing the hard stuff.
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> "My tent was within fifty yards of the interrogation tent. They used shock treatment to get these people to talk, using the wires of a field telephone to apply electric shocks to ear lobes and the genitals. I went to bed almost every night to the screams of people being tortured. Usually the torturing would start at about 9 or 10 in the evening after the camp bar had closed. Usually all the officers involved had had quite a bit to drink. It was very much an entertainment for them.
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> "I saw water torture being used on various prisoners, where their heads were dunked into buckets of water until they were almost drowned, and this repeated a number of times. One case

that I didn't see—but I was told about it immediately after it had happened—was that one of the prisoners was hung up on a tree, his hands were hooked up round a branch with handcuffs so that his feet were about two or three feet off the ground, and a fire was lit under him. He was continually beaten while he was being burnt from beneath. Every single one of the men brought in for interrogation was treated, if not in as bad a manner as that, in a very rough way.

"As far as I know, our battalion went through interrogating at least 200, and I assume that the other four battalions were doing the same. This means that in this short period over 1,000 people were treated in such a fashion. We were never told any official figures, but at the end of the operation I heard that from all those held, forty people were being sent to court to face terrorism trials.

"I don't know how many guerrillas were shot in the whole operation, but our battalion shot four. I can remember an occasion when two dead men had been brought in. They were left to lie in the middle of the camp, which was a pretty busy thoroughfare for troops. And troops were explicitly welcomed to come and have a good look at what a dead guerrilla looks like. Their bodies were abused by the troops."

Following Anderson's revelations, Amnesty International publicly called upon the South African Government to conduct an independent inquiry into allegations of systematic torture by members of the South African Defence Force. The South African Government, which refutes Anderson's allegations, has so far declined to establish such a commission of inquiry.

Further information about the use of torture in Namibia was supplied in May 1977 by leaders of the Lutheran, Roman Catholic and Anglican churches in Namibia. In a *Joint Statement on Torture in Namibia*, the church leaders alleged that the use of torture had reached "horrifying proportions" and had become "standard practice" in the interrogation of detainees. They claimed that torture was particularly prevalent in northern Namibia, where Ovamboland has been under a State of Emergency since 1972 and the Kavango and Eastern Caprivi areas since May 1976. All three areas remain under full military occupation by the South African Defence Force.

The church leaders alleged that the methods of torture most commonly used by South African security police included electric shocks, prolonged solitary confinement, sleep deprivation, burning with cigarettes, beating with fists or rifle butts and being hung up by the arms, sometimes with a weight added, for long periods.

In an attempt to increase international awareness of the use of

torture and other violations of human rights in Namibia, an *Amnesty International Briefing on Namibia* was published in April 1977. During the same month, Amnesty International groups participated in a campaign designed to focus attention on the conditions prevailing in northern Namibia. The groups appealed to the South African Government to lift the State of Emergency in Ovamboland, publish full details about everyone subjected to detention without charge or trial, and establish a full and independent inquiry into allegations of torture by South African security police and defence forces in Namibia.

The Briefing Paper particularly criticized the widespread use of detention without trial to suppress political opposition and intimidate opponents of continued South African rule in Namibia, and the torture of political detainees. It also condemned the application to Namibia of various South African security laws such as the Terrorism Act, the Internal Security Act and the so-called Sabotage Act, also the imprisonment in South African—rather than in Namibian—prisons of Namibians convicted of political offences. At the time of publication in April 1977, more than 40 Namibians convicted of political offences were imprisoned on Robben Island, South Africa's main political prison. Amnesty International said it was impossible to provide accurate estimates of the total number of uncharged political detainees held in Namibia at any one time. Most detainees are held either under Section 6 of the Terrorism Act or Proclamation R.17 of 1972—the Ovamboland emergency regulations—both of which provide for the *incommunicado* detention of any person for an indefinite period.

The Briefing Paper also expressed Amnesty International's concern at the use of the death penalty for certain political and criminal offences in Namibia. In May 1976, death sentences were imposed on two Namibians—Hendrik Shikongo and Aaron Muchimba—convicted on charges under the Terrorism Act. Following their trial, which was held at Swakopmund, it became known that confidential documents relating to the defence case had been leaked to the South African security police by individuals employed by the defence attorneys. As a result, defence lawyers made an official complaint to the Supreme Court and succeeded in getting a special entry relating to this irregularity written into the court record. The case was then taken to the South African Appeal Court in Bloemfontein where, in March 1977, Chief Justice Rumpff acquitted and discharged Hendrik Shikongo and Aaron Muchimba on the grounds that their trial had not complied with normal judicial standards. The Chief Justice indicated that security police interference with defence arrangements

during the trial constituted a "gross irregularity" in court procedure and a serious breach of the privilege which existed between attorney and client.

Acquitted with Hendrik Shikongo and Aaron Muchimba were Rauna Nambinga and Anna Nghihondjwa, who had been jailed for seven and five years respectively following the Swakopmund Terrorism Act trial and whose cases had also been taken up by Amnesty International. However, two other Namibians who had been jailed in connection with the same political trial were not freed. Axel Johannes and Victor Nkandi were each jailed for a year for contempt of court following their refusal to testify as state witnesses during the course of the Swakopmund trial. Before being called to give evidence, both men had been detained without charge for more than five months. Victor Nkandi alleged that he had been tortured during interrogation by South African security police.

After completing a year's imprisonment at Windhoek Prison, Victor Nkandi and Axel Johannes were due to be released on 28 February 1977. However, on that date they were immediately re-detained under Section 6 of the Terrorism Act and transferred to the main Oshakati interrogation center in Ovamboland. No charges had been brought against them by the end of May 1977, when they were both reported to be in poor physical condition. Their cases have been taken up by Amnesty International.

In September 1976, Filemon Nangolo, a Namibian who had allegedly trained as a SWAPO guerrilla in Angola, was sentenced to death, having been convicted on charges of participating in four murders. After the sentence had been confirmed, Amnesty International cabled South African Minister of Justice James Kruger in May 1977 to appeal for clemency on behalf of Filemon Nangolo. However, despite this and other appeals, and the fact that Filemon Nangolo had been severely paralyzed as a result of a shooting incident at the time of his arrest, he was hanged at the end of May.

Amnesty International groups were working on the cases of six Prisoners of Conscience at the end of May 1977. The small number of adoption cases reflected both the difficulties of obtaining information quickly from northern Namibia, where most arrests and detentions take place, and the trend towards armed struggle as the means of achieving majority rule. The organization also provided relief assistance to Prisoners of Conscience and their families.

Niger (Republic of)

Amnesty International continued to handle the cases of 18 members of the left-wing *Sawaba* movement, who were arrested in October 1975 and detained without trial. There were no positive reactions from the Government to the groups' work on behalf of these prisoners.

Although in April 1976 Amnesty International appealed to President Seyni Kountche to commute the death sentences passed on nine people for their part in an attempted coup on 14 March 1976, seven were executed on 21 April 1976 including the alleged coup leaders, Major Moussa Bayere, Captain Sidi Mohamed and Ahmed Moudour.

Former President Hamani Diori, who was overthrown in a military coup on 16 April 1974, is still being held in a small three-room lodging built for him at Zinder military camp. Although his living conditions, according to recent reports, are relatively good, he is reported to be seriously ill and his sight is rapidly failing. Former President Diori is said to be sharing his lodging with his former Education Minister, Mr Kackou; and some other members of his Government are still under house arrest.

Nigeria (Federal Republic of)

The human rights situation in Nigeria has greatly improved since 1975-1976, with a return to normality following the 1976 abortive coup d'etat in which Murtala Mohammed, Head of State, was assassinated. Despite the continuation of the Emergency Regulations, there was considerable free public discussion on the draft of the new Constitution for the planned return to civilian rule in October 1979. Elections to local district councils were held in December 1976 (without serious incident), as the second part of the five-stage transition period. The formation of political parties to contest federal elections will later be allowed.

Amnesty International has no adopted prisoners in Nigeria and powers of detention do not appear to be used by the Government to any significant degree. There is a large measure of press freedom in Nigeria and the judiciary retains a considerable degree of independence, although provision for trial by military tribunal still exists. The relative independence of the judiciary was demonstrated in the case of a musician, Fela Anikulapo-Kuti, who was freed on bail by the High Court in March 1977 after being detained for about three weeks. He and 43 members of his Africa 70 company had been

arrested by soldiers with considerable brutality. He is an outspoken critic of the military Government.

However, there is a disturbing trend towards increasing severity in certain judicial areas, as shown in 1976-1977 by the introduction of the mandatory death penalty for attacks on customs officials, and by the removal of the right of appeal to the Supreme Court for people convicted of armed robbery, an offence which is tried by military tribunal and which has carried the mandatory death penalty since 1970. In 1976-1977, a large number of people were executed in public after being tried and convicted of armed robbery.

The Nigerian Government has continued to play an important role in international and African affairs, especially over the question of human rights in southern Africa and the peaceful resolution of conflict through the offices of the Organization of African Unity. During the Second World Black and African Festival of Arts and Culture 1977 (FESTAC) in Lagos, the Union of Writers of the African Peoples made a statement calling on all African governments to end torture, arbitrary imprisonment and "other forms of dehumanization". The Union appealed on behalf of writers imprisoned in Egypt and Niger and subsequently in Uganda, and gave active support to the struggle for the liberation of southern Africa.

Rhodesia (Zimbabwe)

The upsurge of political violence reached alarming proportions in 1976-1977 despite renewed attempts by the British and American Governments, and the five African "front-line" states, to bring about a negotiated settlement in Rhodesia. The consequent effect upon human rights was disastrous, and was felt not only in Rhodesia itself but also in the neighbouring countries to which many people fled either to take refuge or to train as African nationalist guerrillas. Throughout the year, the Rhodesian Front régime launched military attacks into Botswana and Mozambique, ostensibly against African nationalist guerrilla bases. However, one such raid in August 1976 resulted in the deaths of more than 700 refugees at Nyadzonha Camp in Mozambique.

Within Rhodesia, the régime adopted increasingly harsh measures in an attempt to contain the guerrilla threat. The system of so-called "protected villages", whereby rural Africans are removed forcibly into concentrated settlements commonly known as "keeps", was extended to the tribal trust lands of south-eastern Rhodesia. There, as in other areas containing protected villages, the inhabitants were

forced to live under curfew and under conditions of considerable insecurity. During the year, many African civilians were arrested and subjected to torture during interrogation by Rhodesian security police seeking information on the movements of nationalist guerrillas. Many others were brought to trial and sentenced to long terms of imprisonment on charges either of assisting, or failing to report to Rhodesian security forces the presence of, nationalist guerrillas in their locality.

Similar charges were brought against the Roman Catholic Bishop of Umtali in September 1976. Bishop Donal Lamont, for long an outspoken critic of the racialist policies of the Rhodesian régime, was alleged to have failed to report the presence of guerrillas on two occasions and to have advised a Roman Catholic nun to do the same. He was charged shortly after the publication, in August, of an open letter which he addressed to the Rhodesian Government. In his letter, he claimed that it was the "racist and oppressive policies" of the régime and its "stubborn refusal to change" which was largely responsible for the situation of unrest in Rhodesia. He denounced the bombing and destruction of African villages and the obstacles placed in the way of those who sought legal redress for killings and acts of torture committed by Rhodesian security forces. He said that in Rhodesia, a state which claimed to be democratic, people were restricted or imprisoned without trial, tortured or tried *in camera* and put to death by secret hangings, all in the name of preserving Christianity and the standards of western civilization. This, Bishop Lamont commented, was the "final absurdity".

At his trial, attended by American judge Bruce W. Sumner as Amnesty International observer, Bishop Lamont pleaded guilty to the charges against him and made it clear that he had purposely defied the law in order to focus international attention on the dilemma facing priests and civilians living in the Rhodesian war zone. They had been placed in the position where they had either to report guerrillas and face nationalist recriminations or remain silent and risk criminal prosecution by the Rhodesian authorities. Bishop Lamont was sentenced to 10 years' imprisonment with hard labour on 1 October. However, in February 1977, the Rhodesian Appeal Court described the original sentence as "manifestly excessive" and effectively reduced the term of imprisonment to a year. Shortly afterwards, the Bishop was stripped of his Rhodesian citizenship by the régime and deported.

Welcoming the reduction of Bishop Lamont's sentence, Amnesty International made a public appeal to Justice Minister Hilary Squires on 25 February 1977, urging him to free on humanitarian grounds all

African civilians prosecuted for failing to report the presence of nationalist guerrillas. Citing the case of 70-year-old Mapfuku Chikumba, sentenced to 10 years' imprisonment with hard labour for this offence in 1976, Amnesty International said that African civilians living in the war zone were in as perilous a position as missionaries. The Rhodesian authorities did not respond to this appeal.

Following the prosecution of Bishop Lamont, several other priests were convicted and jailed for failing to report guerrillas. They included Father Paul Egli whose five year sentence was also reduced effectively to one year by the Rhodesian Appeal Court in April 1977.

A further tragic indication of the exposed position in which missionaries now live in Rhodesia was the murder, in early 1977, of three Roman Catholic missionaries near Lupane, and of seven others at Musami Mission, east of Salisbury. Rhodesian Front claims that the killings were committed by African nationalist guerrillas were refuted by nationalist leaders in Mozambique, who allege that Rhodesian security forces were in fact responsible for the deaths.

The dangers facing African civilians in the war zone were also amply illustrated in 1977 when Prime Minister Ian Smith stated that a total of 692 curfew breakers had been killed by security forces since the intensification of guerrilla warfare in 1972. All those killed were Africans.

The deteriorating situation was not only reflected by the growing list of civilian casualties. The total number of long-term detainees held without charge had increased from 700 to more than 1,000 by May 1977. They included several people detained without charge or trial for more than 10 years.

Political trials also increased in number to the extent that, in May 1976, a system of "Special Courts" was introduced so as to cut down the delay in bringing people to trial for alleged security offences. The Special Courts were designed to operate on a mobile basis so that they could preside in the same areas in which political offences were alleged to have been committed. They were empowered to impose the death penalty, and had done so on 29 occasions by the end of 1976. The right of an accused person to remain silent was removed simultaneously with the introduction of the Special Courts.

During the year, many political trials in the High Court and Special Court were conducted partially or totally *in camera*. However, it is clear that many defendants alleged torture by security police and were convicted largely on the basis of contested "confession" statements.

Executions, too, were still carried out in secret despite protests from Amnesty International. In April 1977, two years after the Ministry of Justice announced that all future executions would take

place in secret, Amnesty International groups appealed to the régime to stop using the death penalty and urged the British Government to re-affirm the illegality of all executions carried out in Rhodesia. The organization also asked British Foreign Secretary Dr David Owen to make the cessation of execution a precondition for further Rhodesia settlement negotiations.

Earlier, in January 1977, Amnesty International protested against the execution in Salisbury of eight nationalist supporters sentenced to death for a series of bombings which had in fact resulted in no deaths. This protest, like the appeal made in April, elicited no response from the Rhodesian authorities.

At the end of June, Amnesty International once again appealed to the Rhodesian authorities to exercise clemency on behalf of prisoners awaiting execution, following reports that the Appeal Court had confirmed a sentence of death imposed in March against former Amnesty International Prisoner of Conscience Robert Mangaliso Bhebe. The organization also asked the British and United States Governments to intercede with the Rhodesian authorities on behalf of Mr Bhebe and other prisoners under sentence of death. Despite these appeals, Mr Bhebe was hanged on 13 July.

Groups made further representations to the Smith régime in June 1977 concerning the use of torture in Rhodesia. Expressing profound disquiet at continued allegations of torture by Rhodesian security forces, Amnesty International called for the establishment of an independent inquiry to investigate such allegations and urged the repeal of the Indemnity and Compensation Act. This Act, introduced in 1975, effectively indemnifies all members of the security forces against prosecution for acts committed "in good faith" during the course of counter-insurgency operations. Amnesty International also suggested that relatives and legal representatives should be permitted access to short-term detainees, who may be held for up to 30 or 60 days for interrogation purposes and who are the category of prisoners most liable to torture.

Amnesty International groups were working on behalf of more than 460 adopted prisoners at the end of May 1977. This was the largest prisoner adoption scheme operated by Amnesty International anywhere in the world. Throughout the year, groups provided substantial relief assistance through the Bulawayo and Salisbury-based Christian Care organization to prisoners, former prisoners and their families. Amnesty International also made sizeable grants to various relief, rehabilitation and legal assistance projects in the country.

Rwanda (Republic of)

President Juvenal Habyalimana continued his policy of strengthening ties with neighbouring nations and preventing any renewed ethnic conflict within the country. Rwanda, possibly the poorest country in the world, was further hit by disruption of communications via Kenya and Uganda, which affected especially its supply of oil and exports of tea and coffee.

In January 1977, Amnesty International appealed to Minister of the Interior Lieutenant Colonel Alexis Kanyarengwe to charge or release three students reported detained following their return from studying abroad. Although no official response was forthcoming from the Minister, Amnesty International learnt in May that two of the students had been freed, but there were fears about the third. Amnesty International wrote a further letter pursuing the matter.

In December 1976, former President Gregoire Kayibanda died in the village where he had been confined since his overthrow in 1973. He had been condemned to death but later reprieved.

Sierra Leone (Republic of)

In 1976, Amnesty International had received unconfirmed reports that about 500 political prisoners were being held, 90% of whom had not been tried. Lack of data on individuals had made it difficult to take up the cases, though further research is being carried out.

On 29 January 1977, unrest at Fourah Bay College in Freetown sparked off a crisis which spread rapidly to secondary and primary schools. It was reported, though not yet confirmed by Amnesty International at the time of writing, that in ensuing clashes between university students and the Internal Security Unit (ISU), several students were killed and several others seriously injured, including several girls who were reportedly raped and beaten. On 1 February 1977, a curfew was imposed and a State of Emergency was declared throughout the country.

On 15 April 1977 nominations began for the parliamentary elections scheduled for 6 May. Reports reaching Amnesty International indicated that in pre-election violence some members of the Opposition were killed and others detained. According to unconfirmed reports, about 120 people were killed in Bo district, and in a northern village 26 people were killed when the village was burnt down by a government candidate.

Regina James, a candidate put up by the opposition Sierra Leone

People's Party (SLPP) was reportedly beaten and raped by seven government supporters in Bonthe on nomination day; she was taken to Connaught Hospital in Freetown, according to reports, and later transferred to Pademba Prison in Freetown.

Other prominent people arrested and detained during this period included Salami Coker, Director of Radio and TV in Freetown; Kande Bureh, Deputy-Leader of the SLPP; Sanusi Mustapha, an elected leader of SLPP in Bo constituency; F.M. Carew, a barrister who defended several prisoners executed for political offences in July 1975, Dauda Sandi, an SLPP candidate who won his seat in Kailahen and Charles F. Margai, a barrister and SLPP candidate who won his seat in Moyamba South constituency, but was arrested on 21 May 1977.

Available reports indicated that hundreds of people had been arrested and detained, especially during the election period, without being charged and brought to trial. On 27 May 1977, therefore, Amnesty International cabled the Head of State President Siaka Stevens requesting him to bring the political detainees to trial or release them and to guarantee their personal security while in detention.

Somalia (Democratic Republic of)

On 1 July 1976, the Somali Revolutionary Socialist Party (SRSP) was established to take over the functions of the military Somali Revolutionary Council. The Marxist-Leninist policy of "scientific socialism" as applied pragmatically to Somali conditions is expected to continue. Major problems in the Horn of Africa centered on Somalia's territorial claims to Somali-populated territory in Ethiopia, and the future of the new Republic of Djibouti, which attained independence from France in June 1977.

Amnesty International has, at the time of writing, 12 adopted Prisoners of Conscience in Somalia. They include officials of the former civilian régime, overthrown in 1969, among them, the former Prime Minister Mohamed Ibrahim Haji Egal. Mr Egal has been detained without charge since July 1976. He was previously detained continuously from 1969 to 1974 when he was tried before the National Security Court and sentenced to 30 years' imprisonment. He was released under an amnesty granted in October 1975 and was then Somalia's Ambassador to India until the time of his re-arrest. Other detainees include former Police Commander Mohammed Abshir Musse, who has been in detention continuously since 1969 apart from a brief period of freedom in 1973, and Abdulghani Sheikh

Ahmed who was Minister of Justice and Religious Affairs until 1974. The reason for the detention of these people and an unknown number of others seems to be their disapproval of the military regime. Many of these and other political detainees are kept in total solitary confinement without any contact with relatives or the outside world.

On 11 May 1977, Amnesty International wrote to Brigadier General Siyad Barre, President of the Somali Democratic Republic, expressing concern about the use of detention without trial, the conditions under which detainees are held and certain aspects of the legislation concerning the Security Courts which are incompatible with internationally accepted judicial procedures.

Four foreign nationals were detained in November 1976 after their yacht had been shipwrecked. They were tried by the National Security Court in June 1977 on charges of espionage, of which they were acquitted, and illegal entry into Somalia, on which they were convicted and sentenced to terms of one or two years' imprisonment. They were freed in early July when President Siyad Barre commuted their prison sentences to a fine. They later claimed they had been tortured after arrest by National Security officers, but this was denied by the Somali Government.

South Africa (Republic of)

Long years of political oppression caused by the discriminatory *apartheid* policies of the White South African Government culminated, in 1976-1977, in a massive outburst of Black protest in Soweto, Guguletu, Langa and other African townships which spread throughout the country. Following the first incident on 16 June 1976, when police opened fire on a group of unarmed school students demonstrating in Soweto, Black protest grew spontaneously in reaction to, and in spite of, the ruthlessness and violence of the Government's response.

In the absence of official government figures, conservative press estimates put the number of people killed in Soweto and Cape Town alone at 499 between June and the end of December 1976. The dead, most of whom were victims of police shootings, included many women and children. Unofficial estimates suggest a much higher figure. According to unsubstantiated reports, police killed students who were wounded and arrested in the first disturbances in June 1976 and the victims were secretly buried in various Soweto cemetries.

Mass arrests, not only of active participants in the protest demonstrations but also of well-known African nationalist leaders and

members of the "black consciousness" movement followed the outbreak of disturbances in June 1976 and continued through into 1977. The detainees were held under two main laws. More than 130 people were detained under the Internal Security Act, newly introduced in 1976 to amend and broaden the scope of the earlier Suppression of Communism Act. First entitled the Protection of State Security Bill, the Internal Security Act was re-named because its abbreviated form—the "SS Bill"—had Nazi connotations. Among other things, the Act empowers the Minister of Justice, without reference to the courts, to order the preventive detention of any person for an indefinite period on security grounds.

Those detained under the Internal Security Act included Winnie Mandela, wife of jailed African National Congress (ANC) leader Nelson Mandela; Kenneth Rachidi, President of the Black People's Convention (BPC); Thami Zani, President of the South African Students' Organization (SASO) and former SASO Secretary General Barney Nyameko Pityana, whose wife was also detained. The detainees were held in various prisons located in Paarl, Grahamstown, Kingwilliamstown, Benoni and Johannesburg. Conditions of detention varied, but most detainees were allowed to receive mail, newspapers and visits from members of their families. However, information reaching Amnesty International indicates that some of the detainees were subjected to brutal physical assault when first imprisoned.

The Internal Security Act detainees were finally freed at the end of December 1976 following representations by church leaders and others within South Africa and considerable international pressure. None of the detainees were charged, nor were they compensated by the authorities for the months they spent in detention. Immediately after their release, several of the detainees were also subjected to partial house-arrest and other restrictions under five-year banning orders imposed arbitrarily, and without specific reasons being given, by the Minister of Justice. Those banned included Winnie Mandela and East London journalist Tenjiwe Mtintso, both of whom had been detained for more than 130 days, and sociology lecturer Dr Fatima Meer, who spent more than 120 days in detention.

Following the December releases, several other former Internal Security Act detainees were subsequently re-detained under the provisions of the Terrorism Act and other security laws. They included Sally Motlana, Vice-President of the South African Council of Churches, who was re-detained for a period of four days in February 1977, and Union of Black Journalists' President Joe Thloloe who was re-arrested in early March 1977 after serving a total of 112 days in detention under the Internal Security Act in 1976. Mr Thloloe

remained in detention without charge at the end of May 1977. Another former detainee and Amnesty International adoptee, Malebelle Joseph Molokeng, disappeared after being told to report to Johannesburg security police headquarters on 24 March. The authorities denied that he had been detained. He is still missing.

In addition to the Internal Security Act, the Terrorism Act of 1967 was widely used for detention purposes in 1976-1977. However, it is almost impossible, because of the nature of the Act, to assess accurately the number of people held under its provisions. Section 6 of the Act provides for the detention without charge for an indefinite period of any person suspected of "terrorism", which offence is defined in very broad terms as any activity likely "to endanger the maintenance of law and order" in South Africa. Detainees are held for interrogation at places decided by the security police. They are not held at designated prisons. Relatives are not usually informed when a person has been detained, nor are they informed of the place of detention. It is difficult therefore to be accurate as to the number of people in detention at any one time. However, available information suggests that, at the end of May 1977, there were more than 400 detainees, most of them held under the terms of the Terrorism Act. More than 200 others had been released uncharged since mid-1976. They included Tembani Phantsi, who was detained *incommunicado* and in solitary confinement for a total of 513 days before his release on 12 March 1977. Thandisizwe Mazibuko, Thomas Manthata and George Wauchope were detained for periods of 238, 253 and 279 days respectively before being released uncharged in March 1977. George Wauchope, a leading member of the BPC, was re-detained in June 1977.

There were consistent reports throughout the year of the torture of detainees undergoing interrogation by security police. These were given added significance by the death in somewhat mysterious circumstances of at least 18 political detainees. Among those who died was Mapetla Mohapi, a SASO organizer, whose case was first taken up by Amnesty International when he was banned in February 1973. Mr Mohapi was alleged by security police to have hanged himself with a pair of jeans on 5 August 1976 while detained *incommunicado* at Kei Road police station in Kingwilliamstown. A doctor who represented the Mohapi family at a post-mortem held soon after his death was detained on 12 August and held without charge until late December 1976. The doctor, Dr Mamphela Ramphele, was banned and restricted to an isolated village more than 1,000 kilometers from Kingwilliamstown in April 1977. At the inquest held on Mohapi in March 1977, his wife claimed that an alleged suicide note

produced by the police was not in her husband's handwriting. The inquest was then postponed until September 1977.

Less than one month after Mapetla Mohapi's death in Kingwilliamstown, Luke Mazwembe, a member of the Western Province Workers' Advice Bureau died within two hours of his detention by Cape Town security police on 2 September. Mazwembe was alleged to have hanged himself with strips of a blanket cut with a razor blade and tied with twine found in his cell. At an inquest held in November, a State pathologist said that although there were no indications of any other cause of death than by hanging he could not exclude the possibility that Mr Mazwembe had been killed and then hanged to fake a suicide. The police could not explain how twine and a razor blade came to be found in Mazwembe's cell.

More detainees died in November and December 1976 and in the first months of 1977. Wellington Tshazibane was alleged to have hanged himself while detained at John Vorster Square security police headquarters in Johannesburg two days after his arrest on 9 December. George Botha, a schoolteacher, was said to have jumped down the stairwell of the security police building in Port Elizabeth and to have fallen six storeys to his death on 15 December, five days after his arrest. In January 1977, Dr Nanaoth Ntshuntsha was alleged to have hanged himself while detained under Section 6 of the Terrorism Act at the small town of Leslie, east of Johannesburg. On 15 February, Matthews Mabelane fell to his death from the 10th floor of John Vorster Square police station where he was being interrogated following his arrest several weeks earlier. More recently, Aaron Khoza was alleged to have hanged himself, using two shoelaces and a jacket, on 29 March while detained for interrogation at Pietermaritzburg security police headquarters. He had been detained on 9 December, almost four months previously, more than 450 kilometers away in Krugersdorp.

Allegations of torture by security police were made by a number of detainees and defendants at political trials held in 1976-1977. At the trial in Pietermaritzburg of 10 people charged with membership of the banned ANC and with other offences under the Terrorism and Suppression of Communism Acts, several detainees summoned to testify as state witnesses alleged that they had been subjected to severe physical assault, threats and intimidation, and prolonged solitary confinement during interrogation by security police. Similar allegations were made by the accused. John Nene and Anton Xaba both stated that they had been beaten about the body, made to walk with gravel in their shoes, and told that they would be thrown to their deaths from the upper windows of the security police building.

Joseph Nduli, who claimed that he had been kidnapped from Swaziland by South African security police, alleged that he had been beaten, half strangled, given electric shocks and blindfolded for a continuous period of five days and nights.

Substantial allegations of torture were made in several other political trials, also by Nat Serache, a Black journalist who was detained three times in the seven months preceding April 1977. After escaping to Botswana, Mr Serache made a sworn affidavit describing his experiences in detention. He said that he and five other detainees were threatened with being shot by security police who said they were "tired of interrogating terrorists". Shortly afterwards, he was blindfolded and subjected to electric shocks until he agreed to sign several papers whose contents he was not allowed to read. At an independent medical examination carried out in Botswana, Mr Serache was found to have injuries consistent with his allegations.

Another former detainee, Tenjiwe Mtintso, said at the inquest into the death of Mapetla Mohapi that she had been slapped and punched, partially suffocated with a wet towel, and informed that her young child had died while under interrogation by Kingwilliamstown security police. Her allegations, like almost all allegations concerning the use of torture by security police, were dismissed by the South African authorities as unfounded.

Following the death of Matthews Mabelane in February 1977, Amnesty International urged South African Minister of Justice James Kruger to set up an independent public inquiry into security police methods and the treatment of political detainees. The organization also asked for permission to send a mission of doctors to South Africa to investigate conditions of detention and the physical state of various detainees and former detainees. Both these requests were refused by the South African Government.

Amnesty International made a further appeal to Mr Kruger in April when, following a well-publicized government sponsored visit to Robben Island, the main political prison, by South African and foreign journalists, it urged that foreign press correspondents should also be allowed to visit uncharged detainees held *incommunicado* at John Vorster Square police station in Johannesburg and other detention centers. This appeal was also rejected by the South African Government.

In June 1977, Amnesty International groups participated in a campaign to focus wider international attention on the problem of torture in South Africa and to force the South African authorities to take effective action against those who used torture. Amnesty

International also called for the repeal of the *incommunicado* provisions of the Terrorism Act and for access to detainees to be granted to their relatives, legal representatives and to international humanitarian organizations.

It was not only uncharged political detainees who were the subject of Amnesty International concern during the year. The number of people subjected to partial house arrest and other restrictions under banning orders imposed by the Minister of Justice increased to more than 150 by May 1977 following a wave of bannings directed against former detainees and political prisoners, organizers of Black trade unions, students, human rights workers, and other known opponents of *apartheid*. Several of those banned, including Winne Mandela and Dr Mamphela Ramphele, were restricted to isolated villages hundreds of kilometers from their homes. Amnesty International continued to take up the cases of such prisoners and to give them appropriate assistance.

The number of convicted political prisoners serving sentences on Robben Island, South Africa's maximum security prison, also increased enormously during the year. More than 130 people were convicted and sentenced to terms of imprisonment on Robben Island, bringing the number of prisoners held there to a total of more than 400 by the end of May 1977. As a result of this sudden influx of new prisoners, unprecedented since the mid-1960s, there was a serious deterioration in relations between the prisoners and the prison staff. In February 1977, after receiving reports concerning an attack on a group of prisoners by warders using guard dogs, Amnesty International appealed to Minister of Justice Kruger to intervene personally in order to ensure that all Black political prisoners received humane treatment. The South African authorities admitted that an incident had occurred, but denied that it was as serious as had been reported. Nevertheless, two months later, the South African authorities thought it necessary to allow certain foreign press correspondents and South African journalists to inspect conditions on Robben Island. However, the journalists were not allowed to talk to prisoners of their own choice and had to agree to submit their reports before publication to the Department of Justice on so-called "security grounds". In Amnesty International's opinion, these conditions made it impossible for the journalists to obtain a clear understanding of prisoners' grievances.

Despite international pressure, the South African Government proceeded in 1976-1977 with its policy of dividing South Africa into a series of African "homelands", or *bantustans*. The first such

homeland, the Transkei, was officially declared to be independent by the South African Government on 26 October 1976. However, at the end of May 1977, no country had recognized the so-called independent status of the Transkei. This was hardly surprising. South African security laws, such as the Terrorism Act, continued to be enforced in the Transkei after 26 October and it was not until early 1977 that the Transkeian authorities decided that they should replace them with legislation of their own. Several months prior to the declaration of independence, more than 30 political opponents of the designated Prime Minister, Chief Kaiser Matanzima, were detained without charge. Among others, they included Hector Ncokazi, leader of the main opposition Democratic Party, and Mzwandile Msoki, a social worker employed by the South African Council of Churches. Mr Ncokazi was eventually released uncharged in February 1977. Mr Msoki was released, also uncharged, at the end of May. Amnesty International had appealed unsuccessfully for the release of these and other detainees in the Transkei in October 1976.

In July 1976, Amnesty International presented a written submission on political imprisonment and the use of torture in South Africa to the UN Commission on Human Rights *Ad Hoc* Working Group of Experts on Southern Africa. This statement subsequently appeared in several UN publications.

The same month, Amnesty International provided documentation for, and participated in, a Non-Governmental Organization Symposium on the Situation of Political Prisoners in Southern Africa, which was held in Geneva on 5-6 July.

Amnesty International groups were working on more than 130 adoption and investigation cases at the end of June 1977. In addition, Amnesty International gave substantial relief and help with rehabilitation to prisoners and their families.

Sudan (Democratic Republic of)

The major crisis in Sudan during 1976-1977 was the unsuccessful attempt to assassinate President Jaafar al-Nimeiri and overthrow the Government on 2 July 1976. Eighty-two Sudanese troops and more than 700 rebels were reported killed in two days of fighting in the capital Khartoum. The Government described the incident as an "invasion" by soldiers trained in Libya and organized by Sadiq el-Mahdi, leader of the Mahdist sect and the banned Sudanese National Front coalition.

The first trials of those arrested during and after the disturbances

started at the end of July 1976, when it was reported that some 340 prisoners would stand trial. On 3 August, 81 people were executed after being sentenced to death by a special court martial, and a further 17 were executed the following day. Amnesty International cabled President Nimeiri to express deep concern at the sequence of events in Sudan, and the deaths of many Sudanese loyal to the President, but also to make clear the organization's "profound disquiet" at the execution of the captured rebels. Amnesty International urged the President to ensure that no further executions took place.

Twenty-six other people allegedly involved in the attempt, including Sadiq el-Mahdi, were tried *in absentia* during August and September. A further 79 prisoners stood trial in Khartoum between August and October, of whom 54 were sentenced to prison terms and the remainder acquitted. The Government stated that a further 18 had yet to be tried, but provided no information on the situation of 163 people still believed to be in custody. Persistent allegations that a total of 232 people were summarily killed while in custody after the coup attempt have been denied by the Sudanese Government.

On 19 October 1976, two soldiers were executed for their part in the army mutiny in the South in February 1976. Three others were sentenced to 20 years' imprisonment. At that time three members of the South Sudan People's Assembly, Benjamin Bol, Joseph Oduho and Malath Joseph, were detained and publicly accused of conspiring to commit sabotage and assassinations and to split up the South in conjunction with opposition elements. On 3 February 1977, eight soldiers and one foreigner were killed in an attempt by a section of the air force to capture Juba airport. This was three days after 28 leading Southern politicians had been arrested for what the Government called a "criminal plot aimed at committing chaos in South Sudan". The February incident, the fourth such incident in the South since 1975, was quickly dealt with and led to many arrests. In April 1977, it was announced that 105 people, including a number of civilians, would stand trial by court martial in connection with this incident. Amnesty International wrote to President Nimeiri at the beginning of May requesting permission to send an observer to the trial, since there were fears of a further summary trial and additional executions. No reply had been received by the end of June when the trial was due to commence.

During 1977, the ruling Sudanese Socialist Union held its second anniversary congress, after which there were major changes in the Government. In a referendum President Nimeiri was elected to a second six-year presidential term of office, with a 99.1% vote. In 1977, he visited the USA and France to request military assistance

in view of the dangers of the July 1976 coup attempt and the conflict with Ethiopia. Sudan accused Ethiopia of harbouring Sudanese rebels, and Sudan began openly to assist the Eritrean Liberation Front and the Ethiopian Democratic Union (see *Ethiopia*) in their armed struggle against the Ethiopian military Government. USSR military advisers and some diplomats were expelled from Sudan.

In January 1977, President Nimeiri was instrumental in securing the release of the British Tyler family, who had been held in Ethiopia by the Tigre People's Liberation Front for eight months. The President also released three women political detainees for whom Amnesty International made a special appeal on 8 March—International Women's Day.

Amnesty International planned to send a mission to Sudan in the second half of 1976, taking up an invitation originally made by the Sudanese Government in July 1976, in order to discuss problems relating to the persistent use of detention without trial, torture and the imposition of the death penalty. However, subsequent negotiations about the details of the mission were inconclusive and, at the time of writing, the mission has yet to take place.

Swaziland (Kingdom of)

Phenias Nene, whose case was being investigated by Amnesty International, was released from detention in Swaziland in January 1977. A South African political refugee, Mr Nene had been detained by the Swaziland authorities as a prohibited immigrant since July 1974. Mr Nene is now believed to be living in Tanzania.

Tanzania (United Republic of)

The human rights situation in Tanzania continued to cause great anxiety to Amnesty International during the period under review. In February 1977, the Secretary General visited Tanzania with the hope of discussing the organization's concerns with President Julius Nyerere and Vice-President Aboud Jumbe, but was unable to obtain meetings with either. In June 1977, during the Commonwealth Conference in London, Amnesty International again failed in its attempts to meet the Tanzanian delegate, Vice-President Aboud Jumbe. The organization wrote to President Nyerere on 12 November 1976 and 28 April 1977 and to Vice-President Jumbe on 4 February 1977 and 21 March 1977 explaining its concern about the Zanzibar treason

trial, and detention, torture and prison conditions on the mainland.

Amnesty International groups continued to work on the cases of those imprisoned as a result of the Zanzibar treason trial—37 people sentenced in Zanzibar for treason in connection with the assassination in 1972 of Sheikh Abeid Karume, President of the Zanzibar Revolutionary Council. Thirteen others in the same case are still detained without trial on the mainland (though tried *in absentia* on Zanzibar). Defendants' appeals against death penalties and long prison terms were made to the Supreme Council of the Afro-Shirazi Party (ASP), functioning as an appeal court, beginning on 11 October 1976. Eight defendants who had originally made confessions of guilt (on which the case against the others was based) attempted to retract their guilty pleas and claimed they had made false confessions under torture and death threats. In an Urgent Action campaign, Amnesty International requested the Tanzanian authorities to investigate these claims fully, since the allegations of torture were consistent with other information received by the organization about interrogation practices on Zanzibar. On 7 December 1976, the Attorney General of Zanzibar, Wolfgang Dourado, acting as both prosecutor and defence counsel in accordance with the Zanzibar judicial system, requested in his final submission that all death penalties be commuted, that "excessive" prison sentences be reduced, and that seven defendants be acquitted as the evidence against them was "hearsay". The ASP Supreme Council delivered its judgement on 7 February 1977, confirming the death penalties on seven people (including four detained on the mainland), commuting 17 other death penalties to 30-35 years' imprisonment, confirming six prison sentences, reducing 13 others, acquitting one person and ordering the release of five others because their sentences had been served. One other defendant was released during the trial. There remains a further stage of appeal to Aboud Jumbe, President of the Zanzibar Revolutionary Council, but it is not known how or when this appeal will take place. Amnesty International called President Jumbe on 10 February 1977 expressing shock at the confirmation of death penalties and urging their commutation on humanitarian grounds.

Amnesty International is concerned about the Zanzibar treason trial for several other reasons—the lack of medical treatment for prisoners (some of whom were very ill in court), the probability that torture took place to obtain false confessions, and the Government's refusal to allow family visits to prisoners. The organization deplores the system of judicial procedure whereby the only defence counsel permitted to the accused is the state prosecutor and where the appeal court is a political party council. Finally, there appears to have been

a constitutional irregularity inasmuch as the ASP Council gave its judgement four days after the ASP had been dissolved and replaced by the new *Chama Cha Mapinduzi* (Revolutionary Party).

Amnesty International is also gravely disturbed by recent reports of torture used on the Tanzania mainland by the security police, the widespread use of the Preventive Detention Act, and the conditions under which detainees are held. In January 1977, President Nyerere accepted the resignations of the Minister of State in the President's Office, Peter Siyovelwa, the Minister for Home Affairs, Ali Hassan Mwinyi and the Regional Commissioners of Mwanza and Shinyanga, because of killings and torture committed by police and security officers over whom they had responsibility. Amnesty International was disturbed to hear reports of torture still being carried out by security officers on the mainland since then and the Chief Justice of Tanzania warned that mass murder was still continuing in the Mwanza region. A former victim has also described to Amnesty International his experience of torture which was corroborated by a medical report of his condition. Amnesty International urged President Nyerere to investigate torture allegations and ensure that those implicated be brought to trial.

Amnesty International received new information about detainees during 1976-1977, from letters smuggled out of Ukonga Prison in Dar es Salaam, and from a released detainee, Amirali Ramji. This evidence, which is considered reliable, describes the appalling conditions of detainees—their poor diet, lack of qualified medical treatment, lack of exercise, restrictions on relatives' visits and all correspondence, extremely brutal punishment for offences such as receiving letters from outside and the total solitary confinement of two Zanzibari detainees, former Tanzanian Minister of Economic Affairs Abdulrahman Mohamed Babu and former Colonel Ali Mafudh. All detainees suffer from hypertension, stomach disorders and eye trouble, especially Babu, who was reported to have become almost totally blind in February 1977. The number of detainees on mainland Tanzania is estimated to be between 1,000 and 1,500. They include several members of different southern African liberation movements such as the South West Africa People's Organization, Pan African Congress, Zimbabwe African National Union and others, some of them held since 1971, others transferred from detention in Zambia in 1976.

One former Amnesty International adoptee, Gray Mattaka, was re-detained in December 1976 after 11 months of freedom following detention since 1971. Other recent detainees include veteran politician

and former adopted prisoner Joseph Kasella Bantu, a stateless prohibited immigrant, a Kenyan Asian, and many Tanzanians, some of whom were arrested for "economic crimes" such as fraud, embezzlement, etcetera. Some of them were even acquitted in court yet still detained. One such person, James Magoti, is a bank manager accused of fraud; he was tortured, together with his wife and brother, and detained without trial despite his protestations of innocence and the arrest of most of those who committed the fraud.

On 3 February 1977, a new joint political party, *Chama Cha Mapinduzi* (CCM—"Revolutionary Party" in Swahili) was formed out of the separate mainland (TANU) and island (ASP) parties. Elections to CCM posts will be held during 1977, and the new draft constitution for Tanzania (to replace the Provisional Independence Constitution of 1962) established the new governmental institutions of the Republic. Zanzibar will retain certain separate features such as the perpetuation of the non-elective Zanzibar Revolutionary Council and the judicial system, but the new constitution is an attempt to bring mainland and island closer together. The 10th Anniversary of the Arusha Declaration did not result in any amnesty for political or other prisoners, despite Amnesty International appeals. The tone of government messages on this occasion implied that many socialist goals had not been achieved. President Nyerere made a renewed call to "increase our discipline, our efficiency and our self-reliance".

Togo (Republic of)

While Amnesty International groups continued to handle the cases of two political prisoners, (one of whom, Frank Tsogbe, has been detained without charge or trial since 1973), the Research Department received further information about 37 political prisoners in September 1976, including Amnesty International adoptee Frank Tsogbe, and the names of 20 political detainees who had reportedly died as a result of torture and other forms of ill-treatment while in detention. During the year, the organization attempted to gain additional information on these cases with a view to possible adoption or other action.

In February 1977, the Togolese Minister of Information, Johnson Kwaovi-Benyi, stated in a letter to the London newspaper *The Times* that there were no political prisoners in Togo and declared the Government was willing to open Togolese prisons to "foreign journalists and genuine representatives of Amnesty International" for inspection. The Minister was replying to a previous article in *The Times* about political oppression in Togo.

Amnesty International wrote to the Minister concerning the invitation, but no reply was received and the International Secretariat continued to receive reports of arrests and of people detained on political grounds.

In May 1977, it was reported that during the nights of 4 and 5 April 1977, 27 prisoners were released unannounced in Lomé, the capital, without having been tried. They were 27 of the 47 political prisoners known to be detained by the source of the information. Among the prisoners reportedly released was Amnesty International adoptee Frank Tsogbe, and others who had been detained for over three years.

Also in May 1977, it was reported that 20 people had been arrested on 13 April 1977 in connection with anti-government leaflets said to have been prepared by a group of Togolese students in Paris and found with a Togolese student who was arrested at Lomé airport.

At the time of writing, Amnesty International was trying to get confirmation of the news of the releases and to investigate the reported arrests and earlier detentions.

Tunisia (Republic of)

In May and June 1976, Amnesty International adoption groups and National Sections conducted a major campaign to appeal for a general amnesty for political prisoners in Tunisia. In the following months two amnesties were announced by President Habib Bourguiba. In October 1976, 20 students, sentenced during the trials of left-wing dissidents in 1974 and 1975, had their sentences commuted. Nearly all of these were Amnesty International cases, and two of them, Nejib Elleuch and Sallouha Farroukh, had been the subject of Urgent Actions on account of their deteriorating health. In January 1977, on the 25th anniversary of the Revolution, a further amnesty was granted to nine students, eight of whom were Amnesty International cases. As a result of these releases, the number of cases dealt with by groups was reduced to 37. The remaining prisoners are left-wing students and intellectuals serving sentences of up to 16 years on the following charges: plotting against the security of the state; membership of illegal organizations and spreading false information. Most were sentenced at mass trials in 1974 and 1975. There is also a group of five leading socialist dissidents, originally arrested in 1968, who were granted a conditional amnesty in 1970 and rearrested in 1972, then given fresh prison sentences.

These prisoners are now all held in the Prison de Nador, Bizerte.

Their conditions of detention and state of health give cause for concern. Political prisoners in Bizerte receive very little medical attention, and medicine is not provided. If prisoners become seriously ill it is necessary for them to be transferred to the prison in Tunis, where they can receive specialist attention and hospital treatment. For instance during 1976, Nourredine ben Khader, an Amnesty International case, became dangerously ill as a result of a collapsed lung. An Amnesty International Urgent Action was initiated and he was transferred to Tunis for treatment. This may have saved his life. In May 1977, Amnesty International groups appealed on behalf of 15 prisoners in Bizerte who were known to be in urgent need of specialist medical attention for illnesses contracted while in custody.

To mark the anniversary of Tunisia's Victory Day—1 June—Amnesty International groups launched a postcard campaign calling for a general amnesty for all political prisoners. Amnesty International has also taken up 23 new cases of members of the *Mouvement d'Unité Populaire* (MUP) arrested in March 1977. The MUP is a socialist opposition party, founded in 1973 by Ahmed ben Salah, former Finance Minister in President Bourguiba's Government who was sentenced to 10 years for treason in 1970 and escaped into exile in 1973. Since its foundation, the MUP has distributed leaflets criticizing the Tunisian Government; and in March 1977, their five point program demanded presidential and parliamentary elections, a national charter and a new constitution in order to restore democracy in Tunisia. After the publication of the five point program in Tunisia, leading members of the MUP were arrested. Reports reaching Amnesty International suggest that several of the MUP members were tortured after their arrest, and that two had to go to hospital as a result. Similar allegations of police torture have been made by many political prisoners since 1968.

The trial of MUP members opened before the State Security Court in Tunis on 13 June. Altogether, a total of 33 people, six of them *in absentia*, were accused of plotting against state security, forming a clandestine organization and distributing illegal tracts. An Amnesty International observer, Professor Hassemer of Frankfurt University, attended the early stages of the trial, which was adjourned on 23 June.

Uganda (Republic of)

The human rights situation in Uganda seriously deteriorated in early 1977, when some of the worst instances of human rights violations in the whole continent occured. In May 1977, the International

Commission of Jurists published the texts of its submissions to the UN Commission on Human Rights from 1974 to 1976. These submissions did not result in any action from the United Nations, despite a recommendation in August 1976 by the Sub-Commission on Prevention of Discrimination and Protection of Minorities "to make a thorough study of the human rights situation, based on objective and reliably attested information". The Commission finally decided merely to keep the Uganda situation under review. Amnesty International made a statement on human rights violations in Uganda to the Commission on Human Rights on 7 February 1977. While the Commission was in session from 7 February until 12 March, numerous further atrocities were committed in Uganda. In May 1977, Amnesty International made a formal submission under confidential procedures to the Commission on Human Rights concerning human rights violations in Uganda (especially since 1976-1977), with the hope that action might still be taken by the UN.

Amnesty International was again unable to adopt individual Prisoners of Conscience in Uganda, mainly for fear of reprisals, but also because very few detainees survived long after arrest by the security forces. Amnesty International's statement to the UN of February 1977 detailed the common procedures of arrest by the various branches of the security forces, which include, as a matter of routine, torture and arbitrary killing. Trials of detainees are rare—and even when they are held, the system of military tribunals is incompatible with internationally accepted standards of justice—for arbitrary killing is extremely widespread and is either condoned or ordered by the highest authority in Uganda. The Ugandan authorities are apparently insensitive to the world-wide revulsion which followed several recent atrocities, particularly the murder of Archbishop Janani Luwum.

Amnesty International estimates that during 1976-1977 several thousand Ugandans were killed by the security forces. Arrests and killings followed any event which was seen as a threat to the régime, such as the circulation of anti-government leaflets and student demonstrations, as well as attempts to assassinate President Amin and overthrow the régime. Killing by the security forces is almost continuous, affecting Ugandans of all walks of life, especially prominent citizens.

After the Israeli military action at Entebbe in July 1976, Amnesty International protested to President Amin at the abduction and murder of Dora Bloch, the British-Israeli hostage. About 20 people witnessed her death, including a photographer Jimmy Parma who is said to have photographed her burnt corpse. A number of airport

staff and Kenyan nationals were also killed immediately after this incident. Most of the 245 Kenyans arrested were however released, though after considerable maltreatment and torture.

In August, Amnesty International cabled President Amin expressing "profound disquiet" at reports of student deaths and arrests at Makerere University and urging an inquiry into the army's behaviour, stressing the importance of this in view of Uganda's current membership of the UN Commission on Human Rights. Early press reports of several hundred student deaths later proved to be exaggerated, but according to Amnesty International information gathered from reliable eye-witnesses, on 2-3 August 1976 some hundreds of students were openly tortured on the campus by soldiers following orders from the President. Over 200 were then detained and ill-treated or tortured for some hours before being released. The actual death toll, however, was probably less than 10.

The worst series of events during 1976-1977 started on 25 January 1977 soon after the sixth anniversary of President Amin's *coup d'état*. The repression of the churches was increasing and on 16 February religious leaders were summoned by President Amin to the Nile Conference Center where the Anglican bishops were publicly accused of smuggling in Chinese weapons to overthrow the régime, with the assistance of President Nyerere and Acholi and Langi followers of former President Milton Obote. The head of the Anglican Church of Uganda, Archbishop Janani Luwum, was arrested together with two cabinet ministers, Charles Oboth-Ofumbi and Lieutenant Colonel Wilson Oryema. The next day the Government announced that all three had died in a car accident while trying to overpower the driver and escape. Amnesty International cabled certain African and and Arab heads of state on 16 February, as soon as the news of the arrests was received, requesting their personal intervention to secure the safety of those arrested. On 17 February, the organization learnt of their deaths, and cabled President Amin to express "profound shock" at these reports. Amnesty International called for an immediate and independent investigation, and publicly expressed "grave doubts" about the official version of the deaths in view of the total inadequacy of previous government inquiries into disappearances and deaths at the hands of the security forces.

Following these three deaths, a wave of government-sanctioned killings swept over Uganda, directed especially at Christian and educated members of the Acholi and Langi ethnic groups (the latter being former President Obote's tribe), including those in the security forces. Killings took place in the north (especially in Gulu and Lira), in Kampala—where soldiers with "death lists" arrested Acholi and

Langi in government offices, the university, hospitals, businesses, in their homes—and in military barracks and many other places. There are reliable reports from refugees of large-scale torture and killings following a similar pattern to previous mass arrests. Thousands of refugees fled to Kenya while the killings were at their height from February to May 1977. During this period, some of the worst atrocities were committed in Uganda since Amin came to power in 1971. A number of Kenyans were also arrested in March and Amnesty International cabled the UN and OAU Secretary Generals on 20 March 1977 urging their intervention to prevent torture and killing of up to 100 Kenyans arbitrarily detained in Uganda. Most were subsequently released.

In February 1977, Amnesty International renewed its offer to undertake a mission to Uganda to investigate human rights issues, as suggested by President Amin in 1975 at the United Nations in New York. No reply has yet been received from the Ugandan authorities.

In mid-June 1977, another assassination attempt on President Amin failed, and a new wave of arbitrary killings directed against the Baganda and Basoga ethnic groups was carried out by the security forces, notably the State Research Bureau.

The defections of senior Uganda government ministers continued in 1977 with the decision of the Minister of Health, Henry Kyemba, to seek refuge in Britain and publicize his knowledge of human rights violations in Uganda. The Minister of Justice, Godfrey Lule, who had represented Uganda before the United Nations Commission on Human Rights, timed his public statement of defection to coincide with the Organization of African Unity Conference in Gabon, which was attended by President Amin in his first public appearance since his "disappearance" during the June coup attempt. Mr Lule gave further evidence on the use of torture, President Amin's responsibility for numerous killings, and the reign of terror by the security forces.

Zaire (Republic of)

In the past Amnesty International has been unable to undertake intensive research work on Zaire, but in the latter part of 1976 the country was given priority. Research was initiated in February 1977 with a view to taking up the cases of those who were condemned in September 1975 for alleged complicity in what was described as an abortive attempt to overthrow President Mobutu Sese Seko in June of that year. Seven army officers who were sentenced to death following the incident had not been executed at the time of writing.

While assembling relevant information preparatory to taking up these cases (including those of about 20 people who were still serving their prison terms), a crisis occurred in Zaire which made Amnesty International decide to postpone its initiatives on the country. On 8 March 1977, the Shaba region (formerly called Katanga) of Zaire was invaded by armed men alleged to be elements of the former Katangese *gendarmes* who crossed into Zaire from Angola.

During the fighting between the Zairean army and the invading forces, two men reportedly captured from the "rebels" in April 1977 were displayed before the public and presented at a press conference in Kinshasa on 20 April 1977. Amnesty International has no further information on the fate of these men.

On an unspecified date in April 1977, seven foreign journalists—a four-man Spanish television crew, two journalists of the German magazine *Stern* and Mr Colin Smith of the London newspaper *The Observer*—were separately arrested in the Shaba region and accused of illegal entry into Zaire and of espionage. On 6 May 1977, however, after a 45-minute televized "presentation" of the correspondents, they were ordered to be released on President Mobutu's personal intervention.

It was reported, however, that several people were arrested and detained in Kinshasa in February 1977 in connection with the activities of the *Front de Libération de l'Enclave du Cabinda* (FLEC). While Amnesty International was seeking confirmation of the reports, it was learnt that those detained were released in March 1977.

In May 1977, Amnesty International was informed of the detention of a Haitian national, Alix Balin. Mr Balin was reportedly arrested in October 1976 and, after being held for three months in Kinshasa, was transferred to Kafela in Equator Province. The report was being investigated at the time of writing.

Amnesty International hopes to resume its research after the repercussions of the Shaba crisis have died down.

Zambia (Republic of)

Fifteen University of Zambia students and a *Times of Zambia* journalist whose cases had been taken up by Amnesty International following their arrest in February 1976 were released from detention in August 1976. They had not been charged. However, two other students and university staff member Younus Lulat remained in detention until December before they too were released uncharged. Prior to his release, Mr Lulat went on hunger-strike on 24 October

in protest against his continued detention and on behalf of "all people held without trial in peacetime in Zambia". He announced his hunger-strike during a *habeas corpus* hearing in the Lusaka High Court on 29 October, but was persuaded to call it off some days later.

Following their release, nine of the students were expelled from the University of Zambia. Consequently, Amnesty International has been in touch with several educational organizations in an attempt to secure places for them at universities outside Zambia. Mr Lulat's appointment as a university staff member was also terminated. He has since left Zambia.

There were further releases during October 1976, when more than 35 members of the Zimbabwe African National Union (ZANU), the Rhodesian liberation movement, were freed following the acquittal of three ZANU members charged with murder. Josiah Tongogara, Joseph Chimurenga and Sadat Kufa Mazuba had been jointly accused of planning and carrying out the assassination of ZANU National Chairman Herbert Chitepo, who was killed in an explosion outside his Lusaka home on 18 March 1975. The three defendants, all of whom were arrested shortly after Mr Chitepo's death, denied the offence and alleged that they had been tortured while in detention. Their claim was accepted by trial judge, Justice Manival Moodley, who, when acquitting the three accused, ordered the Ministry of Justice to launch an investigation into security police methods and interrogation procedures. Attorney General Mainza Chona subsequently announced that the inquiry had exonerated all members of the security police.

Amnesty International assisted with defence arrangements for the Tongogara trial by engaging British barrister John Platts-Mills QC to act as special adviser to defence counsel and by channelling defence funds. Amnesty International similarly arranged legal representation on behalf of the ZANU members who remained in detention uncharged.

In March 1977, the one remaining ZANU member imprisoned in Zambia, Tyupo Shumba Chigowe, was released. Mr Chigowe, who was convicted and sentenced to death in April 1976 on charges of murdering another ZANU official and on the basis of a disputed "confession" statement, was acquitted and freed by the Zambian Appeal Court.

Members of another southern African liberation movement, the South West African People's Organization (SWAPO) of Namibia, also encountered difficulties with the Zambian Government in 1976-1977. In April 1976, the Zambian authorities detained more than 50 SWAPO members, including several members of the organization's

Executive Committee, when it became evident that divisions within the leadership might lead to open violence. Subsequently, during a *habeas corpus* action brought by the wife of Andreas Shipanga, the best known of the detainees, the Zambian authorities claimed that he had not been detained but rather taken into "protective custody". This view was refuted by Shipanga's wife and legal representative and, ultimately, by the Zambian Appeal Court which, at the same time, declared Shipanga's detention unlawful and issued a writ of *habeas corpus* in his favour. The writ was of no avail, however, as Shipanga and 10 other SWAPO detainees had been transferred in July 1976 to Tanzania, where they remain in detention uncharged. Zambian official explanations that Shipanga and his associates went to Tanzania voluntarily, and not as detainees, do not accord with authoritative information received by Amnesty International. The organization believes that they were transferred forcibly and without their agreement so as to preclude the possibility of release by *habeas corpus*. There is no provision for *habeas corpus* in Tanzania. The Tanzanian Government has also refused requests made by the Zambian Government, on the instructions of the Zambian Appeal Court, to return Shipanga and his associates to Zambia where writs of *habeas corpus* can now be issued.

In May 1977, Amnesty International was investigating reports that as many as 1,000 other rank and file SWAPO supporters, who had been associated with the Shipanga group, had been placed in a restriction camp at Mboroma near Kabwe.

Reports of several further detentions reached Amnesty International in 1976-1977 involving, among others, persons previously associated with the former opposition United Progressive Party (UPP) and African National Congress (ANC), which were disbanded when Zambia became a one-party state in 1972.

THE AMERICAS

Over the past year there has been little discernible improvement in the human rights situation in this region. In fact, the countries of the southern cone—in particular **Argentina, Chile, Uruguay** and **Paraguay**—have continued to require frequent and urgent interventions by Amnesty International. There was international recognition of the gravity of the situation in **Argentina** and **Uruguay**: the **United States** Government announced in February 1977 that military aid to these countries was to be cut off because of violations of human rights by the military régimes. An estimated 80% of the population of Latin America lives under military rule. A common feature of such régimes, pointed out by the International Commission of Jurists (ICJ), in a commentary entitled "Military Régimes in Latin America" (*ICJ Review* No 17, December 1976) has been the declaration and implementation of a "permanent state of emergency". Such governments regularly invoke special powers which, over a period of time, inevitably lead to the erosion of civil liberties, to the institutionalization of practices such as arbitrary arrest and torture of suspected dissidents, and to a "repression which oversteps all constitutional and legal bounds, violating the most elementary standards of humanity" (*ICJ Review*, idem).

One of the most worrying features of repression in **Argentina, Chile** and **Uruguay** has been the acts of terrorism against the population by security forces, who appear to hold both the constitution and the law in contempt. In **Argentina**, thousands of people have been abducted by the security forces and taken to secret camps throughout the country, where they are usually tortured and a countless number are assassinated. In November 1976, a high-level mission was sent to **Argentina**. A report of its findings was published by Amnesty International in March 1977. This condemned the marked increase in illegal methods of repression introduced by the military since the coup a year earlier (for further details see **Argentina** section). A report about **Uruguay**, which contained 19 affidavits of torture, was submitted to the Inter-American Commission of Human Rights of the Organization of American States (OAS) in September 1976.

In **Chile**, a considerable fall, during the year, in the number of

acknowledged political prisoners being held, has been balanced by a comparative increase in "disappearances"—persons unofficially detained by the DINA (Chilean security police) and not heard of since their arrest. In view of the gravity of this situation, Amnesty International published a dossier on the missing prisoners and launched a worldwide campaign in the spring of 1977 for the *desaparecidos*.

Violations of human rights are, of course, not confined to the southern cone. Amnesty International has developed its work on **Central America** and the **Caribbean** over the past 12 months. In December 1976, a Briefing Paper on **Guatemala** was published, giving a detailed account of the extensive extra-judicial killings carried out in the country over the past 10 years. Amnesty International also hopes to send a mission in late 1977 to the **Dominican Republic**, where reports of imprisonment without trial, ill-treatment of prisoners and "disappearances" have given cause for concern. Finally, a report on **Nicaragua** was published in August 1977.

The condition of Latin America refugees, which has deteriorated since the coup in **Argentina**, has been a major preoccupation of Amnesty International. Until fairly recently, **Argentina** was renowned as a country that readily accepted political exiles from neighbouring Latin American states, as military coups ousted civilian governments and thousands were forced to flee their countries to escape political persecution. Refugees have been singled out for intimidation, harassment, detention and, more alarmingly, abduction and assassination. Three prominent Latin American exiles—the Uruguayan politicians, Zelmar Michelini and Hector Gutiérrez Ruiz and the former President of Bolivia, Juan Torres—were assassinated in May and June 1976. Consequently, there is now a flood of refugees anxious to leave **Argentina** for another country of asylum. With organizations such as the United Nations High Commission for Refugees (UNHCR), the National Sections of Amnesty International have endeavoured to help resettle the refugees, and have encouraged their governments to give asylum to people leaving the southern cone of Latin America. In Latin America itself, four countries continue to provide good facilities for the refugees: **Costa Rica, Mexico, Venezuela** and **Cuba.**

During the year, Amnesty International's Research Department prepared a survey of the use of capital punishment in the region. The Latin American countries have a largely abolitionist policy, in contrast to the English-speaking **Caribbean** and the **United States**, where the death penalty continues to be used. The report of the Research Department's Latin America Section, therefore, has concentrated on the issue of extra-judicial killings by security forces.

It is too early to predict what long-term effects the newly-voiced

international concern about human rights issues is likely to have in the region. It may have had some influence on the release of political prisoners in countries such as **Paraguay** and **Haiti.** Amnesty International welcomed the release in January 1977 of Antonio Maidana, Julio Rojas and Alfredo Alcorta in **Paraguay.** They are believed to have been imprisoned longer than any other political prisoners in the continent. Amnesty International has concentrated on working for the release of Prisoners of Conscience who have been held for over 15 years: for example, the Cuban Huber Matos Benites.

While left-wing violence has undoubtedly caused many of the repressive measures by governments, Amnesty International considers that no situation justifies persistent violation of human rights and disregard for constitutional freedoms and for law. Until these governments cease all attempts either to establish national security by means of terror or to uphold law and order by arbitrary and illegal acts, there can be no lasting improvement in the situation.

Argentina (Republic of)

The military junta that has ruled Argentina since ousting the Government of María Estela Martinez de Perón on 24 March 1976 has pledged itself to a program of "national reorganization" and the elimination of subversion. As a result of left-wing-inspired violence from the Montoneros (Peronist in origin) and the People's Revolutionary Army (ERP), a State of Siege was introduced in November 1974, entitling the Executive to hold persons indefinitely in preventive detention irrespective of whether they were implicated in terrorist activities. Since coming to power, the military have maintained the State of Siege and there are now some 6,000 political prisoners in the country, the majority of whom have been neither charged nor tried.

Following the coup, all violence increased. For the first three months after 24 March 1976 twice as many political murders were reported as in the three months before. Arrests and abductions increased; so, too, did the allegations of torture and deaths in custody. In November 1976, because of this serious situation, a delegation was sent to Argentina by Amnesty International. It consisted of Lord Avebury, a member of the British House of Lords and of the Human Rights Parliamentary Commission, Father Robert Drinan, a member of the US House of Representatives, and a member of the Amnesty International Secretariat. The delegates were grateful for interviews with government officials and for permission to visit one prison,

Villa Devoto; however, the mission's freedom of inquiry was seriously limited by the presence of security police who intimidated, questioned and on at least two occasions detained people who approached the delegates.

On 23 March 1977, the *Report of an Amnesty International Mission to Argentina: 6-15 November 1976,* was published—a detailed account of the human rights situation in Argentina during the nine-month period following the *coup d'état.* It was based both on information gathered during the 10-day mission and on material received by Amnesty International throughout 1976. The report concluded that the state of martial law currently in force deprives all citizens in Argentina of the most basic civil and political rights. Fundamental constitutional guarantees have been suspended since the coup, including the important right for prisoners in preventive detention to opt for exile (Right of Option) which is now—unconsitutionally—at the discretion of the executive power. Military tribunals have been set up for all crimes pertaining to subversion and sweeping powers of arrest and detention have been conferred on the police. Furthermore, many of the decrees of the military junta free the police and the armed forces from any legal liability when people innocent of any subversion or subversive intent are detained, injured or killed.

The official suspension and unofficial neglect of fundamental legal rights has had alarming results. Since the coup, the number of political prisoners has increased, and although, according to the Constitution, prisoners held at the disposal of the executive power are not supposed to be punished, in fact they are held in punitive conditions. There is evidence that many have been maltreated during transfers and that the majority of them have been tortured as a matter of routine. Several personal testimonies of torture were presented in the report: one was that of Senor Máximo Pedro Victoria, a nuclear physicist who was savagely beaten during a prison transfer in September 1976.

Torture has frequently been inflicted on people who have not been officially arrested but merely unofficially abducted. One of the most conclusive testimonies concerning unofficial detention—revealing the involvement of the police and army in abductions and subsequent detention—was given by Father Patrick Rice, an Irish worker priest. He was arrested on 11 October 1976 in Buenos Aires, taken to a police station where he was beaten, then transferred in the back of a car to an unofficial detention center where he was subjected to electric shock and water torture. After a week, following pressure by the Irish Embassy, he was officially acknowledged to be a prisoner. Six weeks later he was deported.

The number of abductions has increased since the coup; the figure may be anything between 2,000 and 10,000. Friends and relatives find it all but impossible to discover the whereabouts of those who have disappeared, although in many cases they eventually learn that the victim is dead. The report concluded that despite the undoubted outrages committed by left-wing extremist groups, terrorist violence could not be held to justify the extreme and extensive government measures taken since the coup: "Amnesty International believes there is overwhelming evidence that many innocent citizens have been imprisoned without trial, have been tortured and have been killed. The actions taken against subversives have therefore been self-defeating: in order to restore security, an atmosphere of terror has been established; in order to counter illegal violence, legal safeguards have been removed and violent illegalities condoned."

In an official communiqué released on the day the report was published, the Government of Argentina rejected its findings as lacking "truth and objectivity" and stressed that the armed forces had a right and duty to defend civilization by any means. The Government did not, however, produce any evidence to disprove statements made in the report, nor has there been any attempt to implement its recommendations. Since it was published, Amnesty International has continued to receive an alarming amount of evidence that violations of human rights continue unabated in Argentina.

In January 1977, Amnesty International submitted to UNESCO *A Survey of Repression in Cultural, Scientific and Related Fields Since the Military Coup of 24 March 1976.* This showed that since the coup there has been intensive and systematic repression in all spheres of academic and cultural life. This has been demonstrated both by the series of increasingly restrictive decrees passed by the military Government, and by the sweeping dismissals, arrests and disappearances of journalists, writers, scientists and psychiatrists. In April 1976, for example, a number of scientists employed by the Argentine Atomic Energy Commission were all arrested. After protests from the international scientific community, most were released. However, two scientists from the Commission are still missing: Francisco Alvarez Rojas and the world-famous physicist Antonio Misetich.

In March 1977, Amnesty International intervened on behalf of political prisoners in La Plata, who had claimed that they were threatened with death. In January, two prisoners had been killed while allegedly attempting to escape during a prison transfer. In February and March, three other prisoners died in mysterious circumstances. Amnesty International expressed serious doubt about

the official explanations for these deaths and undertook Urgent Actions on behalf of the remaining prisoners whose lives appeared to be in jeopardy.

Political imprisonment is not, however, the gravest problem in Argentina; it is the astounding increase already mentioned in the number of abductions of suspected left-wing sympathizers—or even of their friends and relatives—by groups of armed men who usually identify themselves as members of the security forces. Over the past year, Amnesty International has been informed of an average of two violent abductions a week, and has urgently intervened on behalf of 150 individuals; 23 of these have been released. In many cases those abducted by the security forces are taken to one of the many unofficial detention centers throughout the country—for example, the Campo de Mayo in Buenos Aires or La Perla in Córdoba, which adjoins a cemetery.

According to the Government, most of the people who disappear have, in fact, for reasons of their own, decided to live in hiding or to emigrate without telling their relatives. This explanation is contradicted by the fact that, in most of the cases reported to Amnesty International, there are reliable eye-witnesses of the abduction and that writs of *habeas corpus* have usually been filed—a revealing action, in view of the fact that lawyers have been systematically threatened for providing this help.

Occasionally, people disappear after being detained in a public place by the police or military. On 14 February 1977, Señora Nelida Sosa de Forti was prevented from flying from Ezeiza airport, Buenos Aires, to join her husband in Venezuela, on the grounds that her papers were not in order. She and her five children were held in a police station and blindfolded for one week, after which the children were released and told that their mother was to be taken to Tucumán for interrogation. Since then the authorities have denied that this woman is in custody.

Amnesty International has been very active on behalf of Latin American refugees living in Argentina who are regarded by the military as subversives and who have therefore been particular targets for repression. While all sectors of the large refugee community have been affected, those in the greatest danger appear to be the Uruguayans. In June and July 1976, about 30 Uruguayans living in Buenos Aires were abducted. Among them were: Margarita Michelini, daughter of the murdered Uruguayan Senator; two trade unionists, Gerardo Gatti and León Duarte; the well-known Uruguayan journalist Enrique Rodriguez Larreta and two other members of his family. There was no information about their fate until August 1976, when a Uruguayan

refugee, Washington Pérez, arrived in Sweden and explained how he had been forced by Uruguayan officials (some of whom he recognized) to negotiate a ransom for Gatti with a Uruguayan political group, the *Resistencia Obrero Estudiantil* (ROE)—Worker Student Resistance. On several occasions in mid-July, he was driven to a hideout near the capital where Gatti was being held. Gatti had been tortured and was in very poor health. The negotiations eventually broke down on 17 July 1976, when Pérez was asked to carry a similar demand for the release of León Duarte to the ROE group. Pérez suspected that the negotiations were a trap and that his own life and the lives of his family were in danger, so he left the country under the protection of the UN High Commission for Refugees (UNHCR).

In September and October 1976, more Uruguayan exiles were abducted in Buenos Aires. There was no further news about them until 28 October, when the Uruguayan joint armed forces issued an official communiqué announcing the detention in Uruguay of 62 people accused of subversive activities. Of 17 named by the Uruguayan authorities, 14 were among the group of 26 abducted on 13/14 July 1976 and included the journalist Enrique Rodriguez Larreta. The Uruguayan authorities claimed that these people had faked abductions in Argentina (*auto-secuestros*) in order to enter Uruguay secretly for subversive purposes.

This explanation of the arrests is not borne out by eye-witness accounts, confirming that the abductions took place in Argentina and that *habeas corpus* writs were filed immediately after they occurred, in seven cases by the UNHCR itself. Furthermore, Enrique Rodriguez Larreta was released by the Uruguayan authorities in December 1976 and has since testified to Amnesty International and to the US Congress that the was detained with other Uruguayans and tortured in a mechanics' workshop (which he was able to identify after his release) in Buenos Aires before being transported back to Uruguay in a plane belonging to the Uruguayan military. He was able to identify both Argentinian and Uruguayan security personnel among his captors. He also witnessed the death under torture of Carlos Santucho, brother of the left-wing guerrilla Mario Roberto Santucho who was killed in an armed confrontation on 19 July 1976.

Rodriguez Larreta is one of only three to have been released after the transfer of the group of refugees from Buenos Aires to Uruguay. The rest, acknowledged to be in detention, are now awaiting trial on charges for which they may be sentenced to as long as 18 years. More disturbing, however, is the fate of about 38 adults and eight children, who are still unaccounted for and whose detention remains unacknowledged by both the Argentinian and the Uruguayan authorities.

In this group is the trade unionist Gerardo Gatti, whose wife and younger sons left Argentina after his abduction last year. His 18-year-old married daughter, Adriana Gatti de Rey, remained in Buenos Aires to continue her studies, believing that she herself was not in immediate danger. However, it is becoming increasingly common in Argentina for the families of suspected left-wing sympathizers to be illegally detained, tortured or even assassinated. On 9 April 1977, when Adriana Gatti de Rey was seven months' pregnant and just about to accept an offer of asylum in France, she was kidnapped in Buenos Aires and has since disappeared.

The political situation in Argentina has continued to demand persistent intervention on the part of Amnesty International. There are still many reports of abductions, torture and unofficial executions; left-wing violence, although checked, has not been entirely halted: in April 1977, for instance, the Foreign Minister, Admiral Cesar Guzzetti, was shot and critically wounded.

As well as adopting Prisoners of Conscience (the current number is 135), Amnesty International has been particularly active in trying to obtain asylum for refugees from Argentina and in helping those in immediate danger to leave the country.

In December 1976, the Argentinian Government issued a list of 1,546 people who, they claimed, were no longer being detained by the executive power. It transpires, however, that far fewer prisoners were actually released: since December no more than 200 have been released or deported. Because of the continuing very grave violations of human rights in Argentina, the recommendations made in the Amnesty International report need to be carried out as a matter of urgency.

In June 1977 Amnesty International groups were working on behalf of 135 adoptees and 15 investigation cases in Argentina.

Bermuda

In May 1977, Amnesty International appealed to the Acting Governor of Bermuda, Mr George P. Lloyd, for the commutation of death sentences passed on Erskine Burrows and Larry Winfield Tacklyn, both convicted of murder. Bermuda's Committee of Mercy had ruled against the commutation of the sentences, but at the time of writing neither of the men has been executed.

Bolivia (Republic of)

Political imprisonment resulting from Bolivian Government efforts to suppress trade union activity was Amnesty International's principal concern in the past year. About 1,000 trade unionists were detained in the course of the year, although most were held for relatively short periods (from one to six months). Seventy trade unionist prisoners were adopted. Many had suffered previous arrests or exile and had been adopted by Amnesty International groups before. At the time of writing, there are approximately 140 political and trade union prisoners in the Chonchocorro, Viacha and Achocalla jails and in the Carcel San Pedro (*El Panóptico*) jail in La Paz, and an unknown number in the Ministry of the Interior and in the cells of the Department of Political Order (DOP). A total of 79 prisoners are currently under adoption or investigation by Amnesty International groups, 65 of them trade unionists or leaders of student unions.

The Decree Laws of November 1974 formally banned all trade unions and trade union activity. Nonetheless, the single most powerful trade union, that of the mineworkers—*Federación Sindical de los Trabajadores Mineros de Bolivia* (FSTMB)—continued to function relatively freely until June 1976, although most of the leaders of its parent body, the single, nationwide Bolivian trade union federation, *Central Obrera Boliviana* (COB), had been detained and forced into exile in 1975. The FSTMB continued to operate openly from a La Paz office, and in May 1976 held its annual congress in the mining town of Corocoro. Shortly before the congress, which voted in favour of a 110% wage increase, COMIBOL, the government mining corporation which dominates the mining industry, had agreed to hold talks with leaders of the (illegal) FSTMB on 10 June. On 9 June, however, there were mass arrests of leaders of the FSTMB throughout the country. As many as 600 miners were detained, as well as leaders of other secret unions.

Simultaneously troops occupied all the main mining areas. The miners countered by declaring an indefinite general strike which continued until late August 1976. In some areas authorities closed stores and cut water and electricity supplies in order to force leaders hiding in the mine shafts to surrender themselves. There were many reports of maltreatment of miners and their families during the strike. Two miners were shot dead by troops and many others were injured when troops entered the shafts of the Siete Suyos mine in order to capture leaders hiding there.

Most of the detained mineworkers were released or summarily exiled some months after the arrests in June and July; but many of

those released lost their jobs and their rights to social security benefits. At the time of writing, over a year after the strike began, troops are still occupying the mining centers, and journalists are reportedly prevented from approaching the mines.

Two groups of 25 trade unionists, most of them mineworkers, were forcibly exiled to Chile in June and July 1976. Although Chilean authorities affirmed the 50 had voluntarily sought exile there, Amnesty International learnt from interviews with some of the exiles, released from Chile in December 1976, that the 50 prisoners (all of them adopted by Amnesty International groups) were forced to board Bolivian air force planes, and were flown to Santiago, Chile, without knowing where they were being taken. Most were severely beaten before expulsion to Chile. On arrival in Santiago they were in fact given the choice between imprisonment there or being sent in groups of four to six to small villages in the extreme south of Chile, where they lived under virtual house arrest. They were held in police custody in Santiago and not allowed contact with foreign embassies or with the Santiago office of the UN High Commission for Refugees (UNHCR). At the time of writing, however, all but 13 have been permitted to leave Chile; most of them have gone into exile in Europe. Adopted prisoners who were victims of forcible exile included elderly mineworkers, little prepared for exile in European capitals, and labourers, some of whom had held no office in the trade unions. Most of the exiles leave large families without support still in Bolivia.

Non-trade unionists who were adopted as Prisoners of Conscience included students accused of "extremism" (but not officially charged) who were said to be members of illegal but non-violent left-wing political organizations. In February 1977, Bolivian newspapers published photographs of a number of student political activists, including prisoners adopted by Amnesty International, accompanied by signed recantations of their left-wing views and resignations from banned left-wing organizations such as the Bolivian Communist Party. (All political parties and organizations, whatever their ideology, were indefinitely suspended by a decree of November 1974, as were political meetings.) The similarity between the signed statements supports claims by exiles that political or trade union prisoners are detained indefinitely unless they sign "confessions", and deny their beliefs, but as far as is known, this is the first time that such statements have been released to the press. No political or trade union prisoners have been tried by any court for over two years.

In the past year a number of allegations of severe torture have been corroborated by statements from political prisoners and outside observers and, in the one case which appears not to have been political, by police sources.

Amnesty International intervened repeatedly on behalf of Antonio Peredo, the alleged leader of the *Partido Revolucionario de los Trabajadores-Bolivia* (PRT-B)—a revolutionary Marxist-Leninist group advocating armed conflict—after his detention in January 1976. He was said to be undergoing severe torture, yet the authorities refused to acknowledge that he was in custody. Seven months later, in July 1976, members of the Bolivian Red Cross, accompanied by journalists visited El Panóptico Prison in La Paz (Carcel San Pedro) and found that Sr Peredo was in custody, and that he had been handcuffed to a pillar throughout his seven months' imprisonment. He is almost *incommunicado* and at the time of writing has not been tried. He claims that he was tortured after arrest—severely beaten, injected with painful drugs, and hooded.

Amnesty International has made inquiries about other prisoners accused of association with left-wing groups advocating violence but not formally charged, when the authorities did not acknowledge that they were in detention, when they were believed to be victims of torture, or when it was known that they lacked adequate medical treatment.

Jaime Lora Araoz, about whom Amnesty International also inquired, was detained in July 1976, accused of collaborating with a left-wing guerrilla group, and disappeared until his arrest was confirmed in January 1977. He said that he had been severely tortured after arrest, that he had been held in almost total darkness for nearly six months, and that he was in chains throughout the period. A further appeal was made in February 1977, following reports that Sr Lora was seriously ill and being denied medical attention. At that time he was the only prisoner in Chonchocorro Jail in solitary confinement and not allowed visitors.

In April 1977 Amnesty International wrote to the Bolivian Attorney General, asking about the progress of an investigation into the death in police custody of a La Paz taxi-driver, Sr Cruz Limachi. According to police sources, Sr Cruz Limachi died from "an excess of physical punishment", following his detention in the course of a routine—not a political—criminal investigation. The Attorney General was informed of Amnesty International's interest in the legal measures taken to establish the responsibility for the death of Sr Limachi. The organization also expressed the hope that reforms, such as an end to detention without a warrant, and to detention *incommunicado*, would help to prevent further deaths from ill-treatment by security forces abusing their authority.

There have been markedly fewer detentions for political reasons in the past 18 months in Brazil, and Amnesty International has received fewer reports of the torture and disappearance of suspected political activists than it did in 1975. At present there are between 200 and 300 political prisoners, some 213 of them adopted by Amnesty International at the time of writing.

In September 1976, Amnesty International welcomed the release of two prisoners, Ivan Askelrud de Seixas and Cesar Queiroz Benjamin. Special campaigns had been conducted on their behalf, for both had been arrested when minors, and kept in detention on the grounds that they were "potentially dangerous", despite reports to the contrary from psychiatrists.

Amnesty International has continued to work on behalf of prisoners arrested in late 1975 during a purge of alleged members and sympathizers of the illegal Brazilian Communist Party. Many of them have recently been brought to trial. In Bahía, 10 Amnesty International adopted prisoners had their convictions quashed on appeal by the Supreme Military Court and have subsequently been released. In Sao Paulo, three prisoners had their sentences reduced from five years to three and in Curitiba only 18 prisoners out of a group of 30 are still in preventive detention awaiting trial.

In April 1977, in Florianopolis, three prisoners, Roberto Cologni, Marcos Cardoso and Alercio Verzola, charged with membership of the Brazilian Communist Party, went on hunger strike in protest against their conditions: all three claim that they were badly tortured after their arrest and that they have been subject to legal irregularities and delays as regards their trials. All had to be admitted to hospital, but ended their hunger strike once an official inquiry into their complaints was opened.

The most serious incident in the past year was the arrest and shooting of members of the Brazilian Maoist Party, the *Partido Comunista do Brasil,* in São Paulo in December 1976. In an armed military operation, a house in São Paulo was surrounded and several arrests were made. During the attack, three people died in dubious circumstances: Angelo Arroyo, leader of the Metalworkers' Union, and Pedro Ventura de Araujo Pomar, a former Federal Deputy for São Paulo, were shot whilst trying to escape, and a third, Joao Batista Drumond, was officially reported as having been knocked down by a car and killed. Marks on the body, however, were not consistent with this explanation and it is believed that he died under torture. At least six people were arrested and two others, José Novais and Jover Telles,

have since disappeared. Shortly after the incident, the arrested people were handed into the custody of Sergio Fleury, frequently cited by ex-prisoners and lawyers as a torturer and member of the death squad.

Following reports from reliable sources that some of those arrested were being tortured, Amnesty International launched Urgent Actions on their behalf. In February 1977, the International Movement of Catholic Lawyers sent two lawyers, Louis Joinet of France and Mario Stasi of Italy, to Brazil to investigate the situation of the prisoners. The mission was financed in part by contributions from the French and German National Sections of Amnesty International. The findings of the lawyers were published in their report, *La Situation des Droits de l'Homme au Brésil* (May 1977). The mission found that at least one prisoner, Aldo Arantes, a former President of the Brazilian Students' Union, had been tortured. This conclusion was strongly supported by testimony from his mother and his lawyers, who had seen wounds, bruises and other signs of torture when they visited him in *Destacamento de Operações e Investigações/Comando de Operações de Defesa Interna* (DOI/CODI) in São Paulo. The lawyers expressed grave concern about the other prisoners who had been held *incommunicado* and who had also, it was claimed, been tortured. At the time of writing the trial of those arrested was thought to be imminent.

Although brutal and violent arrests of political prisoners have diminished, Amnesty International is concerned at increasing reports of the torture and ill-treatment of people—adults and minors—suspected of ordinary crimes. Church, legal and newspaper sources maintain that electric shock treatment and other methods of torture are inflicted as a matter of routine on petty criminals and delinquents. The purpose of such treatment is often to force suspects to confess to crimes they have not committed. In October 1976, for example, in the remote province of Mato Grosso, in the small township of Riberão Bonito, a priest, Father João Bosco Peindo Burnier, was shot by police when he went to protest about the torture of two women in the local police station. It is difficult to estimate how common such practices are since the victims, naturally, rarely file complaints. However, some idea of the extent can be got from an examination of the police figures for the number of people detained on suspicion alone in São Paulo in the first two months of 1977. There were 28,000 of them.

Death squads still operate, although they too concentrate chiefly on petty criminals and the *marginais* (vagrants). One of their main centers of activity is the poor district of Baixada Fluminense in Rio de Janeiro. In early March 1977, newspapers reported that, since the

beginning of the year, 41 death squad assassinations had been carried out in the Nova Iguaçu region alone; many of the bodies showed signs of torture.

In February 1977, the Roman Catholic bishops issued a statement calling for greater political freedom and stressing that "security, as the good of the nation, is incompatible with a permanent insecurity of the people; this is shown in arbitrary measures of repression without possibility of defence, in humiliating trials and investigation".

In March 1977, Brazil categorically rejected a report by the US State Department, criticizing its civil rights situation, and cancelled its 25-year-old program of US military assistance. It also refused an offer of military aid worth $50 million in credits because this was tied to the human rights report.

Despite the bishops' call for political freedom, in April 1977 President Geisel used his exceptional powers, enshrined in the Institutional Act No 5, to close Congress and force through major constitutional changes. They rule out any possibility of a civilian president succeeding Geisel when his term of office expires in 1979. Furthermore, constitutional amendments can now be passed through Congress with a simple majority (formerly it had to be a two-thirds majority). The closure of Congress was brought about when the *Movimento Democratica Brasileira* (MDB) blocked a government proposal for judicial reforms that would have undermined the state judiciaries and did not re-establish *habeas corpus* for political crimes. The constitutional reforms mean that elections for state governorships will be indirect, which will effectively ensure a permanent majority for the government-backed party.

The new measures provoked strong criticism from political, professional and business sectors, and, despite a government ban, student demonstrations (the first since 1968) took place throughout the country. This led to several arrests, notably in Sao Paulo, and to the suspension of at least 19 students from the University of Brasilia.

Amnesty International has sent a substantial amount of money to Brazil during the past year for the relief of families of Prisoners of Conscience, or of people who have disappeared, and to cover legal fees.

Canada

On 2 July 1976, Amnesty International wrote to the Canadian Minister of Justice, the Honourable Ron Basford, appealing against the extradition to the United States of an American Indian, Leonard

Peltier. The organization stated its belief that "American Indians and leaders of the American Indian Movement in particular are harassed and persecuted by law enforcement agencies in the United States because of their political activities".

Leonard Peltier, a leading figure in the American Indian Movement, was wanted by the United States Federal Bureau of Investigation (FBI) for his alleged involvement in the killing of two FBI agents on the Pine Ridge reservation in South Dakota on 26 June 1975. In October 1976 James Lockyer, a British lawyer, went as an Amnesty International observer to the Federal Court of Appeal hearings on Peltier's extradition. In letters sent to the Canadian Prime Minister, Pierre Trudeau, and to Mr Basford on 19 November 1976, Amnesty International repeated the doubt that Leonard Peltier would receive a fair trial in the United States and referred to James Lockyer's report on the case, which "indicates contradictions within the evidence which has been presented in justification of the extradition order". Once again an appeal against extradition was made on the grounds that "the case may be one of a political rather than of a criminal nature".

Leonard Peltier was extradited to the United States on 18 December 1976. He subsequently stood trial for murder in April 1977 and was convicted, but at the time of writing his sentence has not been pronounced (see also United States of America).

Chile (Republic of)

In November 1976, the Chilean Government freed some 300 political detainees. Shortly afterwards, 17 more were expelled from the country, one of them Luis Corvalan Lepe, under a well-publicized "exchange" agreement. These measures, following the release of several hundred prisoners in May-June and September 1976, prompted the Chilean authorities to claim on several occasions that only one political prisoner still remained in detention: the former Senator Jorge Montes Moraga, whom they offered in exchange for the Cuban prisoner, Huber Matos. The Cubans did not follow up this proposal and finally, in June 1977, Señor Montes was released into exile. This release coincided with that of 11 prisoners from the German Democratic Republic and, according to press reports, an "exchange" appears to have been negotiated although this is not confirmed by GDR sources. Subsequently, General Hernan Béjares Gonzalez, Secretary General of the Government, felt able to declare that there were no more political prisoners in Chile.

This claim, however, is not consistent with facts available to Amnesty International. The current terminology used both officially and unofficially in Chile makes it possible to distinguish three categories of political prisoner:

1. *Detenidos por el estado de sitio*: those detained under the State of Siege legislation, without trial and without any formal charges having been brought against them. The vast majority of these prisoners, grouped together during the last months of their detention in the officially acknowledged camps at Tres Alamos and Melinka Puchuncavi, were released in 1976.

2. *Procesados y condenados*: those detained awaiting trial, pending trial, or serving sentence. The authorities now refuse to consider these political prisoners, even in cases where both charges and court proceedings were of a purely political nature. In May 1977 there were still several hundred prisoners in this category. A decree passed in May 1975 makes them eligible for commutation of their prison sentence to enforced exile.

At the time of writing, roughly 1,000 individuals had benefitted from this measure. However, amongst those left, there remains an important category (about 100) whose plea for exile has been refused.

3. *Detenidos desaparecidos*: "disappeared" prisoners whose detention the authorities refuse to acknowledge. In a large number of these cases, incontrovertible evidence is available (some of it from official documents) which leaves no doubt as to their arrest. After a painstaking examination of the many lists of missing prisoners received by the International Secretariat since the *coup d'état* of 11 September 1973, Amnesty International estimates their number at over 1,500.

In 1976, information reaching the International Secretariat showed that there were fewer political prisoners in Chile than during the previous year, but it also indicated a relative increase in "disappearances": by May 1977, over 100 people arrested during 1976 (representing more than 20% of all reported arrests in that year) had not subsequently been heard of.

In view of the gravity of this situation, Amnesty International published in March 1977 a detailed 85-page dossier on the missing prisoners, and launched a worldwide publicity campaign in March, April and May. The aims were to arouse international opinion, to get from the Chilean authorities precise details about what had happened to these people and to demand an end to the "disappearan-

ces" for which the DINA (*Dirección Nacional de Inteligencia*) is held to be primarily responsible. The Amnesty International dossier puts the matter in its historical and legal perspective, and includes detailed case histories, photographs of 218 missing people, appeals by relatives and a breakdown by profession of those concerned. In sum, there are over 400 cases about which Amnesty International has precise and detailed information.

During 1976, it was mainly Communist Party members and leading trade unionists who were arrested and subsequently disappeared. Amongst them were a number of political leaders: José Arturo Weibel Navarrete, Victor Manuel Díaz López, Jorge Onofre Muñoz Poutays and Mario Jaime Zamorano Donoso; the former Parliamentary Deputies Vicente Atencio Cortés and Bernardo Araya Zuleta; two doctors, Carlos Enrique Godoy Lagarrigue and Iván Insunza Bascuñan; Marcelo Concha Bascuñan, an engineer; Alejandro Rodriguez Urzua and Juan Fernando Ortiz Letelier, both university professors; Héctor Contreras Rojas and Guillermo Galvez Rivadeneira, journalists; Raul Guillermo Cornejo Campos and José Emilio Flores Garrido, students; Rosa Elena Morales, secretary. But workers' families have been the worst affected, several members of the same family often disappearing—for example, Manuel Recabarpen Rojas, his two sons and daughter-in-law.

During the first four months of 1977, Amnesty International received no reports about any alleged disappearances. However, during May and June, there was a new wave of arrests for political reasons. At the time of writing, there is still no news of Israel Vicente García Ramirez, arrested in Santiago on 30 April.

In short, during the period covered by this report (May 1976-June 1977), serious and systematic violations of human rights continued in Chile. In addition to the numerous "disappearances", torture is still a systematic practice: bodies showing signs of severe torture have been discovered in various parts of the country. The officially acknowledged concentration camps have been closed down, but new secret and changing interrogation centers are in use. The relatives, friends and lawyers of prisoners and missing persons, as well as a number of former prisoners, have been subjected to varying degrees of intimidation. The lawyer Hernán Montealegre, for example, was detained for seven months and then released, without any formal charges being brought against him; two legal experts, Eugenio Velasco and Jaime Castillo, both political moderates, were expelled from the country during 1976.

There have been numerous violations of the Decrees promulgated in early 1976 to regulate arrest and detention, and of the "Constitutional Acts" of September 1976; these sought to guarantee basic rights for Chileans while introducing new provisions in anticipation of a new legal system. In March 1977, the Government decided to extend for a further six months the State of Siege legislation (in force continuously since the 1973 *coup d'état*), and to formally dissolve the political parties which, until then, had simply been suspended from all public activity. The parties most affected by this measure are the Christian Democrat and National Parties. The Popular Unity coalition and the MIR (*Movimiento de la Izquierda Revolucionaria*) were dissolved in September 1973.

In addition to the above mentioned campaign on behalf of prisoners who have "disappeared", Amnesty International undertook a more limited campaign for the *rechazados* (those refused exile as an alternative to imprisonment), and in December 1976, a campaign to inform the governments represented on the governing body of the World Bank about the situation of political prisoners in Chile. Amnesty International has also kept up its systematic work for Chilean prisoners (getting information about them, adopting them and intervening on their behalf). Since the last Amnesty International report, a considerable number of adopted prisoners have been released, but, in spite of this, in June 1977, 145 cases were still under adoption or investigation by Amnesty International groups. Special attention has been paid to those categories of prisoners who do not usually attract international attention: workers, peasants and agricultural labourers, often imprisoned in distant provinces. Amnesty International has continued its program of Urgent Actions: 54 individuals and three large groups benefitted from 21 such Actions between May 1976 and May 1977. Five press releases were put out by the International Secretariat and two detailed reports submitted to the UN Human Rights Commission.

As for the prisoner "exchanges" proposed on several occasions by the Chilean authorities, Amnesty International has stated publicly that it categorically rejects such procedures and insists on the *unconditional* release of all Prisoners of Conscience.

Amnesty International continues to administer a substantial relief program in Chile, providing legal aid and money for prisoners and their families.

Colombia (Republic of)

Four prisoners whose cases were taken up by Amnesty International in 1976 in Colombia were released in October 1976. A civil court

overturned their conviction by a military court for complicity in the murder of General Ramon Arturo Quinones in September 1975.

At the time of the murder, General Quinones had been carrying out an investigation into corruption in the armed forces. As Colombia was then under State of Siege, the investigation into the General's murder was carried out by a military court. It led to the conviction of the four prisoners; three were sentenced to 24 years' imprisonment and the fourth to 28 years. In June 1976 the State of Siege was lifted, and the appeals lodged by the four went to the civil Superior Court of the Bogota judicial district. (The State of Siege which is in force at the time of writing was reimposed on 8 October 1976.)

Amnesty International groups are at present investigating 13 cases of *campesinos* (peasant farmers) from rural areas in Colombia who have reportedly been imprisoned on the orders of local large landowners with whom they are in dispute over land tenure. Amnesty International has no opinion on the merits of the arguments involved in these civil disputes; however, the cases being investigated are said to involve arbitrary detention, and detention for participation in non-violent meetings of the peasant union *Asociación Nacional de Usuarios Campesinos* (National Peasant Farmers Association) or for putting up posters announcing ANUC activities. There is further concern because the small farmers (especially those of Cauca Department in southwestern Colombia) who speak native languages and consider themselves Indians (*indigenas*), do not have the protection of the law, and can consequently be persecuted by local wealthy groups; at least six Indian leaders of the Regional Council of Indians of the Cauca (*Consejo Regional Indigena del Cauca*) have been murdered since October 1976.

Problems connected with human rights in the country areas of Colombia are considered to be largely the result of excesses by local authorities—national authorities have shown considerable willingness in the past to intervene to remedy abuses when they were reported.

Amnesty International's Secretary General wrote to President Alfonso Lopez Michelsen in February 1977 to express appreciation for Colombia's support of a resolution on torture by the UN General Assembly on 13 December 1976.

Cuba (Republic of)

Amnesty International continues to follow developments in the situation of political prisoners in Cuba; on various occasions it has expressed its concern to the Cuban authorities, especially about

the fate of prisoners held for expressing their political views, whose cases the organization has been following for the past few years.

In a televized interview broadcast by the British Broadcasting Corporation on 1 February 1977, Carlos Rafael Rodriguez, one of Cuba's Vice-Presidents, affirmed that the "counter-revolutionaries" held in prison could not be considered political prisoners, and that there were therefore no political prisoners in Cuba. ("We do not admit these as political prisoners because nobody in Cuba is in prison on account of his ideas.") This statement is not in line with others issued by prominent Cuban officials (including Fidel Castro, at present President of the Council of State), nor with Amnesty International's interpretation of information.

Because it is difficult to obtain and check such information (see *Amnesty International Annual Report 1975-1976*), the estimated total of political prisoners in Cuba can only be an approximate one. The figure of 4,000-5,000 put forward in the *Amnesty International Report 1975-1976* applies only to those prisoners whom the Cuban authorities (and in particular the courts who pass sentence) recognize as being detained on political charges. This category of prisoner appears to have become smaller in the last year, the total now lies between 2,000 and 3,000. (This estimate, based on information from various sources, was confirmed by Fidel Castro in a televized interview with the American journalist Barbara Walters in June 1977.)

Amnesty International's main preoccupation during the past year has been the situation of a minority of prisoners who have refused to comply on principle with the rehabilitation program, which has been in operation for about 10 years (see earlier Amnesty International *Annual Reports*). These dissidents (known as *plantados* in Cuban prison jargon) are still reported to number several hundred. With a few exceptions, they are all long-term prisoners detained since before 1970. They include members of the armed forces and civil servants of the Batista régime, former members of the revolutionary movement who went into opposition after 1959, and individuals who took up arms against the present Government. Many had held high positions in politics, the army, the administration or the unions during the early years of the Cuban revolution.

Not all of them can be considered Prisoners of Conscience (even if almost all of them are undeniably political prisoners, sentenced for crimes "against the State" or "against the stability and integrity of the Nation"). Yet their particular situation stems from a stand on principle—their refusal to accept indoctrination or any form of detention or to engage in activities which they feel to be incompatible with their beliefs or opinions.

Until the end of 1976, La Cabaña, a former colonial fort in Havana, was the main detention center for those who refused to be rehabilitated. It appears that most of the inmates of La Cabaña were then transferred to a new prison built several miles to the east of Havana, Combinado del Este. There are reports of political prisoners being held in maximum security conditions in other prisons, such as Boniato in Oriente province, and Nuevo Amanecer, a women's prison near the capital.

Among the better-known prisoners refusing rehabilitation are a number of former officers of the revolutionary army: Huber Matos, Eloy Gutierrez Menoyo, Antonio Lamas and César Paéz (the three last also took part in guerrilla activity against the present régime in the Escambray region during the sixties); the former workers' leader Lauro Blanco; the former student leader Jorge Valls; the ex-students Miguel Sales and Armando Valladares Perez. There are reports that several women have also refused to undergo rehabilitation. In November 1976 they included the following (most of them detained in Nuevo Amanecer prison): Miriam Ortega, Leonor Barbara Olivera, Leopoldina Grau Alsina, Nereyda Polo, Alejandrina (Aleja) Sánchez Piloto, Bertha Alemán, María Amalia Fernández del Cuesto, Felicia Guillermina García, Georgina Cid Campos, Nilda Díaz Batista, Ana Bustamante, Dolores Correoso, Albertina O'Farril, Esther Campos, Clara Alonso, Caridad Cabrera, Aracely Rodriguez, Zoila Aguila, Dora Delgado, América Quesada, María Magdalena Alvarez, María Teresa Bastanzuri, María Garcia Rangel, Mercedes Peña and Ana Lázara Rodriguez.

Although various observers agree that prisoners undergoing rehabilitation are, on the whole, in good conditions, information about a number of those refusing to be rehabilitated gives cause for concern, especially as these prisoners are kept apart from the rest, and (with a few notable exceptions) the Cuban authorities have not as yet replied to appeals and letters on their behalf. Moreover, none of the foreign visitors to Cuba who have made inquiries about the prison system have seen any prisoners in this particular category. Some of them have been held for over 15 years, and their state of health is said to be particularly poor.

Amnesty International has received no information to indicate that prisoners have been tortured during the period covered by this report. Accounts by former prisoners about previous years claim that prison conditions were then poor, that there was ill-treatment and, occasionally, fatal incidents; but on the whole they tend to corroborate official statements to the effect that torture is deliberately and systematically prevented under the present régime.

In June 1977, Amnesty International had 25 cases under adoption and four under investigation.

Amnesty International has continued discussions with Cuban officials, mainly through the UN. Their purpose is to explain the organization's concern—especially its concern over the situation of human rights in Cuba. Also, in May-June 1976, during the UN Apartheid Seminar held in Havana, the Amnesty International delegate to the Seminar had lengthy discussions with officials from the Ministry of External Affairs and the Ministry of Justice.

Dominica

Group work continued on the case of Desmond Trotter, sentenced to death in 1974 for the murder of an American tourist. Following the retraction of testimony by the chief prosecution witness, Desmond Trotter was reprieved in April 1976 and his sentence commuted to life imprisonment. Amnesty International believes that there are sufficient doubts about the case to justify a retrial. Desmond Trotter has always maintained that he is innocent and that his political activities were the reason for his arrest and conviction.

Dominican Republic

After agreeing to receive an Amnesty International delegation in May 1976, the Dominican authorities let it be known at the last minute that the mission would not be appropriate at that time. A further request was made in August 1976, but no official response was forthcoming. Since disturbing information about political imprisonment—particularly the conditions in which certain prisoners were held—continued to reach Amnesty International, the Secretary General wrote once again to President Balaguer, in April 1977.

In his reply, dated 21 April 1977, the President explained at length and in detail the official Dominican position with regard to the cases and conditions cited by Amnesty International, and stated that his Government was prepared for an Amnesty International representative to visit prisons and investigate alleged human rights violations in the Dominican Republic. Such a mission is now planned for the latter half of 1977.

The total number of political prisoners in the Dominican Republic was several hundred in the early 1970s. It is now estimated to be in the region of a few dozen. However, only a limited number of political

prisoners appear to have benefitted from the amnesty decreed by the authorities in December 1976. Moreover, precise, detailed and consistent information reaching Amnesty International indicates that practices amounting to serious violations of human rights are still going on: the arbitrary arrest, kidnapping and assassination of the régime's political opponents; the removal of certain political prisoners to isolation in provincial jails and military forts; deplorable prison conditions, ill-treatment and police brutality inflicted on many detainees; frequent irregularities in legal procedure, such as refusal of *habeas corpus*, arrests without legal warrant, repeated postponement of trial proceedings on unconvincing pretexts, and the continued detention of prisoners once their sentences have expired.

President Balaguer has himself on several occasions acknowledged the malfunctioning of the judicial process and the shortcomings of the penal system in his country. In his letter to Amnesty International's Secretary General cited above, he stated that:

> "Dominican justice, like that of most of our countries, suffers from many faults and for a very long time has lacked in great part adequate facilities for the re-education of those who serve sentences for breaking penal laws. Also there are sometimes regrettable delays in the hearing of judicial trials, but none of these is due to reasons of a political nature, but to the work load of the tribunals and to the fact that the public authorities find it impossible to stop spurious interests often interfering in the healthy administration of justice."

During the period covered by this report, Amnesty International intervened mainly on behalf of prisoners whose state of health and conditions of detention were causing particular concern, among them Jorge Puello Soriano, Alcides Encarnación Concepción, Plinio Matos Moquete and Augusto Alvarez Perez. In 1976, all four of them had been transferred to the remote region bordering on Haiti, and then returned to La Victoria prison early in 1977. Representations were also made on behalf of Nelson Antonio Peral Cruz, whose case Amnesty International had followed closely since 1973; he was finally released in February 1977, after repeated postponements of his trial. Amnesty International also expressed concern about the fate of Emmanuel Federic and Max Bourjoly, both Haitians, who were arrested on 17 August 1976 and have not been heard of since. The Dominican authorities acknowledged their arrest and added that they had been deported to their home country, despite the fact that they had sought refuge in the Dominican Republic, apparently for political reasons. According to some sources, several hundred Haitian

citizens have been deported in comparable circumstances during the past few months.

Ecuador (Republic of)

Two political group arrests, followed by short-term imprisonment, were of concern to Amnesty International in Ecuador in the past year. On 13 August 1976 a meeting in Riobamba of members of the Roman Catholic clergy from throughout the hemisphere was broken up by armed police. Those taking part, including foreign archbishops, bishops, clergy and lay preachers, as well as members of the Ecuadorian church, were taken under guard in buses to the capital, Quito, where they were briefly detained. Most of the foreign clergy, a total of 18, were immediately expelled. Although this meeting of representatives of the "progressive" clergy from Latin America and the United States had been planned more than a year in advance, the then acting Minister of the Interior, Javier Manrique, took the view that the foreign clergy had entered Ecuador "secretly" and that they were "plotting against both national and international order". None of the detainees were held for more than a few days and there were no allegations of maltreatment.

On 26 November 1976, 31 people were detained when security forces raided the El Inca convent near Quito and broke up a meeting of members of a moderate political party, the *Union Nacional Democratica* (UNADE). Three of those detained, two of them journalists, were released a few days later. The Minister of the Interior, Colonel Bolivar Jarrin Cahuenas, accused the 28 who remained in custody of "subversion", and charged the UNADE with planning a guerrilla campaign, and with having a connection with the Riobamba bishops' conference of the previous August. The 28, who included two Roman Catholic priests and a former government finance minister, were released under an amnesty on 24 December 1976. Amnesty International expressed concern about both the Riobamba and the El Inca convent arrests, although no individual cases were taken up.

The Secretary General of Amnesty International wrote to the President of the Supreme Council of Government, Admiral Alfredo Poveda Burtano, in February 1977 to express appreciation for support from the Government of Ecuador for the resolution on torture, passed without opposition by the General Assembly of the UN, on 13 December 1976.

El Salvador (Republic of)

Arrests followed by "disappearance" and probable murder of people in custody by security forces were the fundamental Amnesty International concerns in El Salvador in the past year. Dr Carlos Madriz, a doctor of medicine trained in Cuba, and considered a probable left-wing candidate for Parliament in March 1976, was detained on 14 July 1976 by plain-clothes men who identified themselves as members of security forces when they broke into his home. Although there were many witnesses of the arrest, the authorities later denied that the doctor was in custody. Although released prisoners who had been held in the General Headquarters (*Cuartel General*) of the National Guard in San Salvador told Amnesty International sources that he was alive in custody some weeks after his arrest, others later cited semi-official information that Dr Madriz had died or been murdered in custody. Despite repeated appeals for information about his situation, no response was received from the Salvadorian authorities.

Another detainee who "disappeared" after detention and was the subject of Amnesty International appeals was Professor Manuel Alberto Rivera, leader of the teachers' trade union, ANDES. He was detained by security forces on 26 November in the town of Sansonate but was never acknowledged to be in custody, despite repeated writs of *habeas corpus* on his behalf. No official statement was received as to his situation and it is alleged that he too was murdered in police custody.

The Secretary General of Amnesty International cabled President Arturo Armando Molina on 4 March, following the 20 February 1977 presidential elections. The message was one of concern and inquiry about reports of numerous arrests, "disappearances" and killings of members of the opposition coalition, *Union Nacional Opositora* (UNO), following government claims of overwhelming victory for General Carlos Romero, candidate of the official party. Spokesmen for UNO protested about the arrests of hundreds of supporters before the elections, and of poll-watchers during the election itself. Claiming massive electoral fraud, UNO supporters, led by the presidential candidate, Colonel Ernesto Claramount of the UNO, occupied the main plaza of San Salvador, demanding a re-examination of election results.

On 28 February troops moved in to clear the plaza forcibly. The number of people killed in the ensuing violence was said by President Molina to total five, but eyewitnesses of the scene on the night of the 28th and on the following two days claimed that as many as 600 UNO supporters were shot down by troops in the plaza or in the

neighbouring streets of down-town San Salvador. The dead were reportedly removed in army trucks and ambulances and buried secretly in mass graves.

On 19 April the Chancellor of El Salvador, Dr Mauricio Borgonovo, was kidnapped by guerrillas of the Marxist-Leninist group *Frente Popular de Liberacion Farabundo Marti.* Following the publication of threats to execute Dr Borgonovo if 37 political prisoners—largely *campesinos*—were not immediately released, the Amnesty International Secretary General cabled President Arturo Armando Molina to express the concern of the organization for the wellbeing of Dr Borgonovo, in a message that could "be made public at [his] discretion". The message, dated 2 May 1977, said that "Amnesty International in all cases supports the right to life, as consecrated in Article 3 of the *Universal Declaration of Human Rights,* and consequently condemns the carrying out of executions under any circumstances, be they judicially or extrajudicially determined, by recognized governments, or by revolutionary forces of any kind."

After Government claims that only three of the 37 prisoners were, in fact, in custody, and that there would be no negotiation with the kidnappers, Dr Borgonovo was executed by his captors on 10 May.

On the same day the Mexican newspaper *Excelsior* reported the inability of the Government of El Salvador to accede to the demands of the guerrillas because most of the 37 prisoners "no longer exist"; among the 37 were Dr Carlos Madriz and Professor Manuel Alberto Rivera (see above). At the same time, *Excelsior* published a list of 32 other political prisoners held in Salvadorian jails, and gave the names of nine persons detained in recent weeks by security forces, but considered to have "disappeared". Amnesty International is currently investigating the legal situation of people spoken of in the *Excelsior* article, whose detention has been corroborated by Amnesty International sources in El Salvador.

Guatemala (Republic of)

On 12 December 1976, Amnesty International published a 17-page Briefing Paper on Guatemala. This outlined the phenomenon of extra-judicial executions and "disappearances" carried out by para-military "death squads" which has dominated the human rights situation there since 1966. The report gives evidence (including previously published statements by members of past and present governments) that these groups operated with the knowledge and, at times, close cooperation of government authorities, and also cites a number of

cases in which uniformed security forces, including paratroops, have carried out "death squad" activities.

Over 20,000 people are believed to have suffered extrajudicial detention and execution since the use of massive illegal detentions and summary executions developed as a routine political measure to counter left-wing guerrillas active in the late 1960s. The Paper traces the development of the largely civilian death squads such as *Mano Blanca* (the White Hand) in which, for the first time, civilians were systematically integrated into a counter-subversion organization on a semi-permanent basis.

Another section discusses the legal basis for the para-military death squads, the structures of security forces and the lack of checks on their actions, especially in the countryside. It notes that, under the present system, over 4,000 large private farms are individual governmental districts with the consequent right to form and direct their own security forces which can then operate outside the effective supervision of central or even regional governmental authorities.

The report also cites recent developments, including cabinet changes, that suggest President Kjell Laugerud Garcia is moving to check the routine deaths and disappearances. Since the publication of the report, other improvements have been observed, including the arrest of a number of members of security forces implicated in death squad activity, and a drop in disappearances and in death squad killings in urban areas.

One of the Army lieutenants named in police statements as a leader of the death squad guilty of the murder of Lt Waldemar Orozco de Leon and others—a case discussed in the Guatemala Briefing Paper—was brought to trial in November 1976 and sentenced to four years' imprisonment for his activities in the group. The conviction of a member of the armed forces on active duty, for participation in a para-military group which carried out extrajudicial executions is an encouraging sign. To Amnesty International's knowledge, this is the first time a member of a right-wing para-military death squad has been detained and formally consigned to the courts and, furthermore, been convicted of violent crimes. Lieutenant Fernando Morales Pineda was accused of being one of businessman Jorge Zimeri Saffie's main supporters in command of the group. In his statement to a military court (*auditoria de guerra*), Lt Morales said that the group was involved in the murders of "an engineer employed in the Camino Real Hotel, a detective of the national police named Napoleon, a North American negro, an officer of the Marines, Waldemar Orozco, and of a lawyer, among others".

However, warrants for the arrest of Sr Elias Zimeri Nassar, a business partner of former President Carlos Arana Osorio, and his son, Jorge Zimeri Saffie, have not been served, although the two men were said to have been the organizers and directors of the group and are the owners of various properties on which arms and ammunition have been found by police, including the factory where the body of Lt Orozco was discovered. The 8th Criminal Court of Preliminary Hearings in Guatemala City in February 1977 acquitted four employees of the factory, but left the case against Sr Elias Zimeri Nassar and his son open.

There has been a considerable drop in urban areas in the political violence of the death squads—torture, killings and simple "disappearances" after abduction by governmental or para-governmental armed groups—since January 1977. But there are still many reports of the abduction of *campesinos* by unidentified but heavily armed men, said by local sources to be linked with rural authorities. In El Quiche Department abuses continue to be attributed to uniformed army troops. The national press in Guatemala City reported in the first three months of 1977 the "disappearance" of at least 48 *campesinos* after abduction, or the discovery of the bodies of the abducted *campesinos*, most of them with the marks of severe torture and/or mutilation. This indicated that while the national authorities may have recently taken steps to control the operation of the right-wing death squads in the cities, the poor rural population remains outside the protection of the law and continues to suffer abuse both from official and semi-official armed groups.

The Guatemala Briefing Paper discussed the geographical distribution of deaths and disappearances attributable to the right-wing death squads, and by means of a chart analyzed by location 1,105 cases occurring between January 1972 and April 1976. The most interesting finding was that while deaths and "disappearances" in Guatemala City averaged 28% throughout the period (not surprising since it is the center of the political and economic life of the nation, and the home of more than one-sixth of the population), deaths in the sparsely populated northern areas—El Quiche and El Peten Departments—represented only 6% in 1972 while in 1976 they represented approximately 28%. The increase in death-squad violence in this almost entirely rural area, especially in El Quiche Department, has been attributed to the discovery of vast deposits of petroleum, and to the building of a highway in the area with a consequent sudden rise in the value of the land, and conflicts over land tenure. Unlike deaths and disappearances in other areas of Guatemala, those reported in El Quiche Department are said to involve uniformed troops—including paratroops—of the Guatemalan Army, and to be related to

measures against left-wing guerrillas known to be operating in the area. Despite official statements regarding counter-insurgency measures, no left-wing guerrillas detained in the area have, to the knowledge of Amnesty International, been committed for trial.

Seventeen Indian peasants of the area of San Fernando Cotzal, in El Quiche Department, were the subject of Amnesty International inquiries after their arrest over a dispute over land tenure went unacknowledged by authorities. The 17 were later reported by reliable sources to have been released, but trade union, church and press sources alleged that over 60 other peasant farmers from the region have been detained and have "disappeared" since the beginning of 1977.

Amnesty International groups are currently investigating a total of 29 cases of prisoners and people who have disappeared in Guatemala. Another 20 cases, in which official security forces were believed to have been directly involved in illegal detentions and disappearances, have been investigated.

One of the appeal cases, a university student, José Fernando Lobo Dubon, disappeared after capture by the National Police and was then released 33 days later. Although the police throughout the 33 days denied that Sr Lobo Dubon was in custody, and *habeas corpus* pleas determined that he was in no legal place of detention, the Chancellor of Guatemala, Don Adolfo Molina Orantes subsequently confirmed that he had, in fact, been detained by detectives of the National Police and taken to police headquarters. The then Minister of Government, General Leonel Vassaux Martínez (who resigned shortly afterwards), and the Director of the National Police, Colonel Mario Cardona Maldonado, had repeatedly and publicly denied that Sr Lobo Dubon was in detention. When he was released, Sr Lobo Dubon immediately sought asylum in the El Salvador Embassy and was personally accompanied by the Ambassador to San Salvador.

Guyana (Republic of)

On 3 February 1977 Amnesty International wrote to the Prime Minister of Guyana, Mr Forbes Burnham, expressing the hope that Arnold Rampersaud, charged with the murder of a policeman in July 1974, would be given a new trial in the very near future. At his first trial, which ended on 2 December 1976, the jury failed to agree on a verdict. At the second trial, which ended on 21 April 1977, the jury was again unable to agree on a verdict. Mr Rampersaud is a member of the opposition People's Progressive Party, which alleges

that the real reason for his imprisonment is his political activities. He was still in prison without having been convicted in June 1977.

Haiti (Republic of)

Early in January 1977, Amnesty International wrote to President Jean Claude Duvalier welcoming the amnesty for political and common law prisoners announced just before Christmas. As with previous amnesties, there was some doubt as to the authenticity of the people's names, their status as political prisoners and about whether they were actually released. These doubts were expressed in the letter to President Duvalier and in a news release of 9 January 1977.

Eight of the amnestied prisoners were forcibly exiled to France, among them Alix Pierre-Louis who had been arrested at the airport of Port au Prince on his return to Haiti in November 1975 (Amnesty International Urgent Action of December 1975).

Amnesty International also referred to at least 100 new arrests in the Port au Prince area and asked for information on the legal situation of, among others, the young Amnesty International adoptee Veneque Duclairon and the teacher and actor Jean Claude Exullien.

The amnesty of December 1976 included only one Amnesty International adoptee, but the later review of cases undertaken by the Haitian authorities, resulting in 21 releases on 2 March 1977, included 11 prisoners on whose behalf the organization had taken some action (Jean Claude Exullien, among others).

Amnesty International cabled President Duvalier, congratulating him on this initiative, recommending that a similar review be undertaken with regard to all other prisoners detained without trial in Haiti, and giving the names of 10 prisoners who have been detained for periods ranging from one to 14 years.

Failure to bring prisoners to trial, and detention *incommunicado* remain the main human rights issues in Haiti; they are aggravated by the Government's failure to give any information about the fate of political prisoners, even to their families.

In 1976, a number of Amnesty International groups each submitted their prisoner's case to the Inter-American Commission on Human Rights (Organization of American States). The Haitian Government's response to the Commission's requests for information tends to describe the prisoner as unknown and warn the Commission against heeding unfounded allegations. Amnesty International commented on the contradictory nature of the replies in a communication to

the Commission in April 1977, giving the examples of Dieudonné August, described as "unknown", whose release was announced by the Government in March 1977, and Marc Romulus, also described as "unknown" but later, after two years' detention *incommunicado*, granted permission to correspond with his wife, living in exile in Canada.

The case of the lawyer Hubert Legros, who was rearrested in January 1973, was taken up with the IACHR. Invited to comment on the Haitian Government's reply, which contained no factual information but claimed that Maître Legros' name "was used as an attempt to accuse the Haitian Government of violations of human rights", Amnesty International renewed its demands for an answer to the basic questions of whether Maître Legros had been charged and tried and, if this were not the case, under what legal or constitutional provisions he was being held without trial.

During the past year, there has been increased harassment of the Haitian exile community in the neighbouring Dominican Republic. On 13 May 1977 Amnesty International organized an Urgent Action on behalf of Max Bourjoly and Emmanuel Federic when they were reported as having been extradited to Haiti following nine months' detention *incommunicado* in a military unit in the Dominican Republic.

On various occasions Amnesty International has supplied supporting information to lawyers in the United States defending Haitian exiles against deportation to Haiti.

Amnesty International has carried out two further Urgent Actions on behalf of Haitian prisoners suffering from or in danger of ill-treatment, and 57 cases are currently adopted or under investigation by Amnesty International groups.

Honduras (Republic of)

The trial of 10 men accused of carrying out the illegal detention, torture and murder of nine persons, including two priests, university students and leaders of the peasant union *Union Nacional de Campesinos* (National Union of Peasants) in June 1975 (see *The Amnesty International Report 1975-1976*) has passed from its secret *sumario* stage to the stage of *plenario*. Those still detained, awaiting conclusion of the trial, include one of the major landowners of Olancho Department, and owner of the *hacienda* where the torture and killings occurred, Sr Manuel Zelaya, and the army commander of the Olancho military zone at the time of the killings, Major José Chinchilla.

Jamaica

In June 1976 a State of Emergency was declared in Jamaica; as a result, it became possible to detain people without charge or trial for an indefinite period. This action was taken in response to what was described by the Prime Minister, Mr Michael Manley, as "a type and scale of violence unique in our history . . . ". On 7 October 1976 Amnesty International wrote to Mr Manley with reference to 174 people detained without trial under the emergency legislation and expressed the hope that "in the very near future all those at present detained will be brought to trial or released".

In April 1977 Amnesty International received a reply from Mr Manley, inviting "a team from Amnesty International [to] visit Jamaica at any time which suits the convenience of your organization to investigate all aspects of human rights in Jamaica . . . ". On 6 June 1977 the State of Emergency was lifted and the last 17 prisoners detained under its provisions were released.

Another cause of concern to Amnesty International in Jamaica is the large number of death sentences. During the year the organization has appealed to the Governor General of Jamaica, The Most Honourable Florizel Glasspole, for the commutation of six death sentences. In May 1977 there were 40 men under sentence of death in St Catherine District Prison, many of whom had been under threat of execution for several years.

Amnesty International has no adopted prisoners in Jamaica.

Mexico (United Mexican States)

In March 1977, the new President of Mexico, Senor José López Portillo, released 128 people, many of them held on charges connected with the student demonstrations of 1968. A further 424 were freed on 11 April 1977. The Attorney General, Oscar Flores Sanchez, used the occasion to announce that there were no longer any political prisoners in Mexico. Amnesty International believes, however, that there may still be as many as 100 to 200 political prisoners.

Amnesty International is concerned at the degree of violence used by the police and military when making arrests; it frequently results in fatal injury. There is anxiety, too, about the number of disappearances. This is particularly acute in the State of Guerrero: over the past four years 257 people have disappeared there during anti-guerrilla operations by the army.

In the past year, Amnesty International has heard of several abductions; in a few cases, the people reappeared after protests had

been made. Most claimed that they had been tortured during their captivity. In September 1976, for example, Amnesty International learnt of the arrest of Ysaias Rojas Delgado, who was taken to a secret prison, Colonia Roma, in Mexico City, said to be a torture center. He was sympathetic to opposition groups in neighbouring Guatemala, and while he was detained he saw seven other prisoners, some of whom were Guatemalan refugees. His arrest was not at first acknowledged by the authorities. Senor Delgado claimed that he and the other prisoners were tortured by electric shock treatment and severely beaten. After public appeals, the prisoners were finally expelled from Mexico.

In November 1976, Amnesty International submitted to the outgoing Mexican Government of Senor Luis Echevarría, the report of its mission to Mexico of July 1975. Some of the report's recommendations have been implemented by the Mexican Government, such as the release of prisoners detained for long periods without trial and the demolition of the notorious Lecumberri Prison in Mexico City. However, other problems discussed in the report continue to cause concern. Among these is the use of torture by federal and state authorities to extract confessions, the apparently excessive violence employed by military and police in arrests and the unacknowledged detention of political prisoners in secret prisons, such as the Campo Militar No 1 in Mexico City.

On 13 January 1977, the daily paper *Excelsior* published a report, claiming that 200 political activists were illegally detained in Campo Militar No 1. Many of those detained are said to be members of various guerrilla groups—for example, *Liga 23 de Septiembre, Frente Urbano Zapatista* and the *Movimiento Armado Revolucionario.* The military have not allowed lawyers or magistrates to enter the barracks to find out whether it is used as an unofficial detention center. According to reports, prisoners in the Campo Militar No 1 are maltreated, deprived of food and tortured.

Amnesty International has heard of numerous cases of people disappearing after being arrested. For example, in August 1976, a young couple, Francisco Gorostiola Taria and Elia Cabrera Arenas, disappeared after being arrested by members of the anti-guerrilla brigade of the police force in Mexico City. The couple were said to belong to the *Liga 23 de Septiembre,* which had been responsible for several politically motivated kidnappings and robberies. The police said they were taking the couple to the military hospital, as both were wounded, after which they completely disappeared.

In July 1976, Amnesty International took up as investigation cases nine prisoners detained in Cuernavaca, all of them charged in connection with a kidnapping and murder. The prisoners maintain that they are innocent and claim they were forced to confess to the crime under torture. Some of those now held were involved in the invasion of government land in March 1973. This, they feel, is the real reason for their arrests. Some have obtained medical certificates testifying that they bore marks of torture when they signed their confession. These certificates are now in the hands of the court. In April 1977, Amnesty International received a copy of a letter written by the prisoners in Cuernavaca, asserting that they had been arbitrarily punished, threatened and tortured. As a result, Amnesty International wrote to the Attorney General on 11 May 1977, expressing concern at these reported irregularities and asking for an official inquiry.

A perennial Mexican problem has been disputes over land tenure. Particularly violent clashes between peasants and state officials erupted in the State of Oaxaca on 27 February 1977; some 30 peasants of the municipality of San Juan La Lana were killed. Further violence occurred in Oaxaca City on 2 March 1977, when 2,000 students held a protest rally, calling for the dismissal of the State Governor; one person was killed and another 25 injured. Although the army claimed that troops were unarmed, journalists stated that the soldiers had automatic rifles which they fired into the crowd. Amnesty International sent a cable to President López Portillo, urging him to intervene in the State to restore order and to instigate an inquiry into the killings.

On 26 April 1977, Amnesty International made an urgent intervention on behalf of three people (all allegedly members of *Liga 23 de Septiembre*) who had been arrested on 11 April and held *incommunicado* since then. Their lawyers protested that none of the prisoners had been brought before a judge, which, according to the Mexican Constitution, must happen within 24 hours of arrest (Article 107, Section xviii). They consequently fear for the lives of their clients.

Amnesty International is also investigating the case of Mónico Rentería Medina and four others who claim that they confessed under torture to the murder of an industrialist, Eugenio Garson Sada, during a kidnap attempt in September 1973. Senor Renteria was nowhere near the scene of the crime, and claims that he has never joined in acts of violence. In 1969 he formed a rural guerrilla group, called the *Movimiento Espartaquista Revolucionario,* but it disbanded after only two months without undertaking any violent action. Senor Rentería is detained in the severely overcrowded prison of Topo Chico, Monterrey, built for 600 inmates and now holding 1,500 prisoners.

The situation of 590 North American citizens serving sentences for drug offences in Mexico is expected to improve, following an agreement between the Mexican and US Governments to exchange prisoners.

In June 1977 Amnesty International groups were working on two adoptions and nine investigation cases in Mexico.

Nicaragua (Republic of)

Repeated interventions were made during the period covered by this Report on behalf of people detained in Nicaragua by uniformed members of the single security force—the National Guard—who were subsequently denied by authorities to be in custody.

The cases of 127 people including men, women and teenage children, were taken up by Amnesty International groups following confirmation of reports of their detention in Nicaragua's remote, rural northeastern departments. Although some of the prisoners were detained in early 1976, none have officially been acknowledged to be in custody, nor have authorities supplied any other information on their status. Although the prisoners may be held in inaccessible rural detention camps, such as those in Rio Blanco, Dú Dú or Waslala in Matagalpa and Zelaya departments, there is considerable concern that they may have been summarily and illegally executed.

In June 1977, Amnesty International published and sent to the Government of Nicaragua a report on human rights in that country, based on extensive investigations dating from the 28 December 1974 suspension of constitutional guarantees and the imposition of martial law. The report focuses on political imprisonment and Prisoners of Conscience, on denial of due process of law, on the use of torture and the death penalty (imposed extrajudicially, since there is no provision for it in Nicaraguan penal law). Information contained in the report was compiled by Amnesty International's Research Department, and included the findings of a mission sent to Nicaragua by the organization in May 1976 (see *Amnesty International Report 1975-1976*).

The report examines the legal basis of the extraordinary measures which were imposed in December 1974—and remain in force at the time of writing—and the structure and procedure of the military court system. Since the suspension of guarantees these courts exercise jurisdiction over civilians in matters of internal security. The report concludes that in accordance with constitutional limitations on the prolongation of a suspension of guarantees, there should be an immediate return to normal constitutional government, and that both the

structure and procedure of the military courts offer no guarantee of due process and fair trial. A further section deals with prisoners indicted by the military courts, and includes a number of case studies.

A major chapter deals with the wholesale killing or unacknowledged detention—"disappearance"—of *campesinos* (peasant farmers) in the course of counter-insurgency operations by the National Guard. The report documents the detention of 303 *campesinos* in the northeast between May 1975 and January 1977, none of whom have been accounted for since their arrest. It further notes that while over 200 *campesinos* were detained in Zelaya Department alone in that period, none from that area, to the knowledge of Amnesty International, have appeared before the Military Court or otherwise been acknowledged to be in custody. It also documents the shootings in cold blood of *campesinos* by National Guardsmen, including, in one case, the entire population of a village: a total of four men, 11 women and 29 children in the village of Varilla on the Matagalpa-Zelaya border at the end of January 1977.

Another aspect of political imprisonment dealt with is the system of the police courts, a part of the executive branch of government which provides for *administrative* rather than judicial imposition of sanctions of up to 180 days' imprisonment. The Amnesty International report details the legal basis of the system and its procedures; it then documents a number of cases involving trade unionists and activists of legal political parties who suffered repeated imprisonment, including two or more almost consecutive 180-day prison terms, in some cases aggravated by severe maltreatment, for crimes of conscience. Five cases of this nature, of low-level political or trade union activists summarily sentenced by police courts, are being investigated by Amnesty International groups at the time of writing; they include one of the prisoners—a trade unionist, Gonzalo Navarro Marín—whose previous periods of imprisonment were described in the Amnesty International report.

Its final section deals with torture and includes case studies incorporating material from the Nicaraguan and Central American press, material deleted from the Nicaraguan press, written statements from prisoners and ex-prisoners and interviews with lawyers, ex-prisoners, and relatives of prisoners, as well as members of the Roman Catholic clergy. The report concludes that it is "highly probable that the majority of prisoners consigned to the custody of the military tribunals had in fact been tortured", a conclusion reinforced by the refusal of authorities to permit the 1976 Amnesty International mission to conduct interviews with or carry out physical examinations of priso-

ners, and by a total lack of evidence that the authorities have taken measures against the practice of torture. No investigations into allegations of torture in Nicaragua by the authorities have been reported, nor have members of the National Guard been prosecuted for the use of torture.

Two subjects of Amnesty International interventions during the past year, one of them Costa Rican Liana Benavides Grutter, were both indicted by the Military Court for crimes against internal security. Both were released in early 1977. Liana Benavides Grutter, whose testimony regarding torture, together with supporting evidence, is included in the Amnesty International report, was released (and returned to Costa Rica) a few weeks after her conviction by a military court for alleged crimes against internal security. Her sentence—18 months' imprisonment—very nearly equalled the period already spent in pre-trial detention.

At the time of writing Amnesty International groups are working on behalf of 99 Nicaraguan prisoners and group prisoner cases, five of them held in the custody of the police courts. The remaining 94 cases, a total of 127 people, are *campesinos* detained in the north-east whose present situation is unknown, and who may have been murdered while in the custody of the National Guard.

Paraguay (Republic of)

In July 1976, Amnesty International issued a 16-page Briefing Paper on Paraguay. This described the practice of arbitrary arrest, long-term detention without trial, torture and political killings. It also described the political context in which these violations of human rights occur in Paraguay, a country which is ruled autocratically by General Alfredo Stroessner, in spite of the fact that it has a formal parliamentary framework. In March 1977 the Constitution was changed to allow the president to serve an unlimited number of terms.

The news release that accompanied the publication of the report stated that General Stroessner's rule "has been characterized by a steady persecution of political opponents and of peasants and active members of the Roman Catholic Church". It further said that Amnesty International estimated that "the number of political prisoners held at any one time in Paraguay fluctuates between 200 and 1,000".

Detention without trial for indefinite periods remains the most characteristic feature of the human rights situation in Paraguay.

Antonio Maidana, Julio Rojas and Alfredo Alcorta, the three

long-term prisoners whose detention had lasted for over 18 years, were released in January 1977. The failure of the authorities to issue them with identity papers and the general insecurity of their situation caused them to seek political asylum in the Peruvian Embassy in Asuncion in March 1977. Because the Paraguayan Government has refused to grant them safe-conduct passes, they are still in the Embassy at the time of writing.

Amnesty International sent cables to President Stroessner and to the Presidents of the Senate and the Chamber of Deputies welcoming the release of the three prisoners and appealing for Ananias Maidana Palacios and Ignacio Chamorro, both detained since 1959, and for eight other people detained without trial for over 10 years, to be set free.

A similar cable was sent after General Stroessner's statement to the press in Brazil in April 1977 that "all persons who have committed offences should be tried according to the law".

Long-term detainees, and more particularly *campesinos* (peasant farmers), were also the subject of discussion at a meeting which the British Member of Parliament, Dafydd Elis Thomas, and Amnesty International researcher Inger Fahlander had with the Paraguayan Minister of Agriculture, Ing. Hernando Bertoni, in London in March 1977.

Approximately 50 political detainees have been formally charged during the past year under the Law of Public Peace and Liberty of Persons. These lawsuits—the first since 1958—only involve people arrested after December 1974. Despite certain reported irregularities, prisoners have been allowed to be represented by defence counsel. Several defendants have been released pending trial, and at least two—both Amnesty International adoptees—have been given an unconditional discharge after the hearings.

Despite nearly 100 releases of untried detainees over the past year, the vast majority of those detained in the widespread arrests following the discovery in April 1976 of a group alleged by the authorities to belong to an armed opposition movement, still remain in detention. They are included in information which Amnesty International has submitted to the Inter-American Commission on Human Rights (Organization of American States): it consists of lists of prisoners and reports of torture, disappearances and deaths following arrest.

During the past year there has been an alarming increase in reports of torture, deaths under torture, disappearances and killings at the time of arrest. In December 1976, Amnesty International wrote to General Stroessner requesting explanation of the reported death in

custody of, among others, the *campesino* Sixto Melgarejo, the war veteran Mario Arzamendia Flores and the peasant and *Caritas* (Latin American church-sponsored development organization) worker Arturo Bernal. The press release about the letter (5 December 1976) also referred to the continued disappearance after arrest of the Communist Party leader Miguel Angel Soler and to the prison camp of Emboscada, where lack of water made survival especially precarious for about 20 women with small children born to them in detention. Eleven of these women were reported to have been released in February 1977.

Amnesty International has carried out six Urgent Actions during the past year on behalf of 20 Paraguayan prisoners in bad health or in danger of ill-treatment. Among them were Gilberta Verdún de Talavera, aged 70, released at the end of January 1977 (Urgent Action 12 January 1977); Ananias Maidana Palacios, first transferred from the 3rd police station to Emboscada and later reported to have been transferred to *Investigaciones*, an interrogation center for political detainees and notorious for ill-treatment and torture; José Gil Ojeda and other members of *Misión de la Amistad*, a Christian development agency.

In July 1976, when invited to testify at the US Congress hearings on human rights under Section 502B of the Foreign Assistance Act concerning military aid, Edy Kaufman, a member of Amnesty International's Research Department, gave a report on recurring violations of human rights in Paraguay to a subcommittee of the Committee on International Relations of the House of Representatives.

Seventy-eight cases are currently allocated to Amnesty International groups for adoption or investigation.

Peru (Republic of)

Sixty-four trade unionists were adopted as Prisoners of Conscience by Amnesty International groups in the course of the year; 30 of them remain imprisoned without trial at the time of writing. A total of more than 1,000 trade unionists were detained during the same period, largely members and leaders of unions in economic sectors dominated by state corporations: the steel and mining industries and the, until recently, state-owned fishing industry, which in July 1976 was turned over to private investors. Other sectors of organized labour opposing government policy include the teachers, especially those organized in the union *Sindicato Unico de los Trabajadores de la Educacion del Peru* (SUTEP), and the unions of agricultural workers in conflict with the Government over the interpretation of Peru's agrarian reform laws.

There were mass arrests of trade unionists and left-wing political activists after the July 1976 dismissal from the cabinet and from other positions of importance of many of the military officers most closely identified with the Government of General Juan Velasco Alvarado (1968-1975). Some of the officers were also briefly imprisoned and forcibly exiled; most were prematurely retired from the armed forces.

Some of the restrictive measures of the Velasco Government were revised: certain banned political journals were permitted to publish again (with the exception of critical left-wing journals, notably the weekly *Marka*). Exiled leaders of the traditional political parties were allowed to return to Peru, and so were certain left-wing politicians, such as Sr Hugo Blanco. He, however, was briefly detained in July 1976 and then summarily exiled.

In the past year, revision of legislation governing labour relations, and the participation of labour in management through "industrial communities" has led to considerable discontent among organized labour, especially in the manufacturing sectors. A Decree Law of July 1976 reversed the 1973 expropriation and nationalization of the fishing industry, providing for the fleet to be sold to private enterprize and for the annulment of labour contracts with the state corporation PESCAPERU.

A general strike of fishermen in November 1976 led to numerous arrests, not only of members and leaders of the fishermen's union, but also of trade unionists from other industries who sympathized with the strike. Workers at the steel complex of the state corporation SIDER-PERU in Chimbote, the major fishing port, planned a strike in sympathy for 4 November 1976, but on 3 November, 30 of their leaders were detained (they were subsequently adopted by Amnesty International and have since all been released). Although, to Amnesty International's knowledge, none of the prisoners detained in relation to the fishermen's strike has been brought to trial, some have been formally charged with "sabotage of the Peruvian revolution" (*sabotaje de la Revolucion Peruana*).

Twenty trade unionists in the state mining company CENTROMIN were detained in August 1976 while negotiating wage agreements. The arrests were not precipitated by strike action. Following a hunger-strike in Lurigancho Prison from 18 October to 28 November, in support of a demand for medical attention, release and reinstatement in their jobs, 11 of the prisoners were formally charged before the Second Judicial Police Court, and accused of "*Ultraje a los sim-*

bolos de la Patria" ("Outrage to the patriotic symbols"), and "*de atentar contra el orden publico y contra las medidas de emergencia*" ("conspiracy against public order and the emergency measures"). Peru was under a State of Emergency at the time of the arrests. At the time of writing, all but two of the miners have been released.

Since June 1976 at least 20 members of the teachers' union SUTEP throughout the country have been detained on unspecified charges. Some are still, at the time of writing, in the Amazon penal colony El Sepa, a maximum security prison accessible only by military aircraft. SUTEP prisoners taken up as Prisoners of Conscience by Amnesty International include the General Secretaries of SUTEP in six provinces. None has, to our knowledge, been tried.

Amnesty International is currently (June 1977) investigating reported mass arrests of workers in the petroleum industry engaged in exploration in the Amazon region, as well as arrests of trade union and political activists in the Amazon town of Iquitos, center of the petroleum exploration and extraction industries.

Five labour lawyers adopted by Amnesty International early in 1976 were released in a presidential amnesty on 30 April 1976; but on 6 June, one of the lawyers, Dr Ricardo Díaz Chávez, was rearrested and arbitrarily expelled from Peru. Another of the five, Dr José Oña Meoño, was rearrested on 2 November 1976. Following a month-long hunger strike, he too was summarily expelled from Peru in late December. Although he was never given any kind of judicial hearing, he was charged with "*Sabotaje de la produccion*" ("Sabotage of production") at a Lima sewing machine factory where he had given legal advice to trade unionists.

In November 1976 Amnesty International appealed for clemency for Raymundo Zanabria, a peasant leader and university student accused of killing a policeman. The organization appealed against the death sentence, which could be passed under decree laws establishing a summary procedure for trials and application of the death sentence in cases involving the death or injury of members of security forces. (The appeal was made in accordance with Amnesty International's obligation to oppose by all appropriate means the imposition and carrying out of the death penalty under any circumstances.)

A number of serious allegations of torture—including two deaths in police custody—were the object of appeals and inquiries by Amnesty International. After the arrest in September 1976 of 151 students at the National University of Engineering in Lima (12 of whom remain in detention untried), serious allegations of torture were made by some of the detainees. Amnesty International wrote

to the Peruvian Minister of the Interior, General Luis Cisneros Vizquerra on 15 October 1976, to welcome official announcements that there would be an inquiry into the allegations, but also to express concern over the threatening nature of the Minister's statement that the students would have to present evidence to support their allegations, as it was "too easy to make allegations and blame the police" and that "nobody had the right to play with the names of institutions and individuals". Amnesty International made the point that it was often impossible for the victim to present conclusive physical evidence of torture and stressed that the serious nature of the allegations warranted thorough and impartial investigation by the state.

Amnesty International also made requests for high-level investigations into the deaths of two 22-year-old students in police custody believed to have been tortured. Fernando Lozano Menéndez, a law student at the Catholic University in Lima was detained by the Civil Guard on 26 November 1976 after the police had found left-wing literature in the car in which he was travelling; he died the next day at the police station. On 2 December the Ministry of the Interior issued a statement declaring that he had suffered from a "sudden illness" while in police custody and died of a "lung attack" (*infarto pulmonar*). The statement also said that the father of the victim admitted that his son suffered from bronchial asthma. Members of the family now pursuing the case in the courts deny this, claiming that he was in perfect health when detained, and that he had no history of lung ailments. It has also been claimed that his body was bruised and his clothes wet.

Walter Bravo Trinidad, at the University Enrique Guzman y Valle studying to be a teacher, was arrested with many others when police raided the University on 20 February 1977. He died three days later, and the explanation given by police spokesmen to the press was that he "was ill". To Amnesty International's knowledge, no investigation has been made into his death.

Trinidad and Tobago (Republic of)

On 18 February 1977, 24 March 1977 and 26 May 1977, Amnesty International appealed to the President of Trinidad, Sir Ellis Clarke, for the commutation of death sentences passed on Kitson Branche, Stanley Abbott and Kirklon Paul, all of whom had been convicted of murder. At the time of writing none of these sentences has been carried out.

Uruguay (Eastern Republic of)

During the spring of 1976 Amnesty International concentrated upon drawing attention to the widespread use of torture in Uruguay by conducting an international publicity campaign. All of the organization's National Sections took an active part in the campaign, through press conferences, letters to Uruguayan government and military officers, and the collection of signatures throughout the world for a petition calling on the Uruguayan authorities to allow an independent investigation into the many and persistent allegations of torture in their country.

The 350,000 signatories to the petition, representing 70 countries, included government ministers, judges, three Nobel Peace Prize winners, religious leaders and members of legislatures. The petition was presented to the permanent Uruguayan delegation to the UN in New York on 16 June 1976, to be sent on to the acting President of Uruguay, Alberto Demichelli; copies were sent to the UN Secretary General Kurt Waldheim and M. Gaston Thorn, President of the 1975 session of the UN General Assembly. At the same time, a press conference was held in New York, addressed by Wilson Ferreira Aldunate, Uruguayan Senator and ex-presidential candidate, who had narrowly escaped being kidnapped and murdered by death squads in the Argentinian capital, Buenos Aires. Two of his parliamentary colleagues also living in exile in Argentina, Senator Zelmar Michelini and the Speaker of the Chamber of Deputies, Héctor Gutiérrez Ruiz, were found dead with bullet wounds and showing signs of torture, two days after being kidnapped in May 1976 by para-police death squads composed of Uruguayans and Argentinians.

The signatures of 40 prominent defenders of human rights in the Soviet Union, including Academician Andrei Sakharov, were sent to the Uruguayan President, Juan María Bordaberry, and released to the press in May 1976.

The campaign achieved its aim of creating international awareness of Uruguay as one of the worst offenders against human rights. Its effectiveness, at least in the short term, in actually stopping or reducing torture and obtaining the release of prisoners, is more doubtful. There is no doubt, however, that the campaign gave great moral support to the actual victims of ill-treatment, and to their families and friends, Amnesty International received numerous assurances from them about the value of the campaign.

During the past year the governments and legislative bodies of many countries have shown an increasing interest in and sensitivity to the issue of the relationship between human rights and trade and

aid. Amnesty International research findings have often provided a basis for debate and decisions on these questions.

The US Congress voted for the suspension of military aid to Uruguay in September 1976. This decision followed hearings on Uruguay organized by a subcommittee of the Committee on International Relations of the House of Representatives. Amnesty International was invited to testify before this subcommittee in July 1976. In his testimony Amnesty International researcher Edy Kaufman reported on the lack of legal guarantees for anyone detained in Uruguay and on the 29 deaths under torture to date documented by the organization.

The reports on violations of human rights influenced trade relations between Uruguay and the member states of the European Economic Community. In a debate in May 1976 in the European Parliament, the EEC Commission representative declared that the European Community would not consider making any preferential trade agreement with Uruguay.

Despite increasing international awareness of the human rights situation in Uruguay, and the expression of this concern to the Uruguayan authorities, Amnesty International has not been able to see any improvement over the past year.

Arrest procedures in violation of legal guarantees continue to be the key problem. The number of Prisoners of Conscience is also constantly increasing; this is inevitable since most political parties and the main trade union organization are banned, all political activity suspended, trade union activity seriously restricted and the press closed down or under heavy censorship—and all this in a country whose citizens are accustomed to freedom in all these fields.

The 255 cases currently allocated to Amnesty International groups represent all walks of life: workers, teachers, journalists, lawyers, doctors, members of parliament, many of them active in trade union work. Because of prominence in their profession or in politics, some have aroused widespread international attention. Scientists and their organizations all over the world have been acting on behalf of Professor José Luis Massera, an ex-Member of Parliament and a mathematiciain of international repute; governments and legislatures have shown concern at the continued detention of General Liber Seregni, the ex-presidential candidate for the Broad Front coalition in the 1971 elections.

In a press release on 26 January 1977, Amnesty International reported on a wave of arrests in the provinces, mainly of teachers, during which a student, Raul Facio, and a teacher, Dante Porta, died as a result of torture.

While recognizing that the period of interrogation following arrest, which can extend to several months, is when maltreatment and torture most often occur, Amnesty International has noted with concern the increasing tendency for prisoners who have already been charged and committed for trial to be taken out of the prison establishment and transferred to a military barracks or other interrogation center for confinement *incommunicado*. In the press statement of 26 January 1977 Amnesty International drew attention to the situation of the Communist Party leader Jaime Pérez, who was taken from prison to a military barracks in September 1976. He is reported to have become mentally disturbed as a result of his ill-treatment. Also, the lack of space in the prisons means that a large number of political prisoners are kept in military barracks throughout the country while undergoing trial.

On 27 June 1977, four years after the dissolution of Parliament, Amnesty International cabled the Uruguayan Government, expressing regret that it was not using its authority to safeguard the most fundamental legal rights of its citizens. The telegram and the press release which accompanied it referred to several cases of the illegal transfer to secret places of detention of prisoners already undergoing trial.

During the past year Amnesty International has carried out 11 Urgent Actions on behalf of victims of illegal arrest procedures and transfers with subsequent torture.

The organization is currently studying reports of other alarming aspects of the situation of Uruguayan prisoners, such as trial judges meting out sentences which are considerably higher than those requested by the prosecution, and the increased severity of the charges for political offences. This is likely to lengthen the period of detention for people who have already served comparatively short sentences passed before 1972, when those accused of political offences were still tried by civilian judges.

Amnesty International has continued and increased its cooperation with the Inter-American Commission on Human Rights (Organization of American States) during the past year. A report outlining the major problems of human rights in Uruguay and including 19 detailed affidavits of torture was submitted to the IACHR in September 1976. Amnesty International also asked the IACHR to intervene on behalf of a number of Uruguayans who had been kidnapped in Argentina in mid-1976, including the daughter of the murdered Senator Michelini and the Rodríguez Larreta family. Fourteen of these "disappeared" people were later discovered to be in detention in Uruguay, where they were forced to take part in a staged police

operation intended to explain the "voluntary" presence on Uruguayan territory of individuals known to have been abducted in Argentina. One of the few to be released, Sr Enrique Rodríguez Larreta, reported on their abduction and torture and on the cooperation of Uruguayan and Argentinian security forces at an Amnesty International press conference in London in March 1977 (see also Argentina).

The case of Alvaro Balbi, who died after two days in detention *incommunicado* in July 1975 has been pursued during the past year. Invited to comment on the explanation of his death given by the Uruguayan Government to the IACHR, Amnesty International noted that there was no reference in the official autopsy to the bruises and other signs of physical violence found on his body, nor was there any explanation of the possible cause of the "stress" that brought about the "heart and lung insufficiency" claimed to have caused his death. It also noted the inordinate speed with which the investigation had been closed, and drew attention to the situation of the 10 people arrested with Sr Balbi who declared to the judge that they had all been subjected to torture. The judge committed them all for trial under military justice and failed to carry out an investigation into their treatment in custody.

The international community's concern at the infringements of human rights in Uruguay has regrettably not brought about any positive response from the civilian-military rulers of the country. They attribute these alleged or documented abuses of authority to an "international Marxist conspiracy", present a distorted image of Amnesty International in the censored Uruguayan press and fail to answer requests for information. Although not sharing the opinion that "subversion and terrorism are a common feature of life in democratic countries" as the Uruguayan Government stated in Institutional Act No 5, Amnesty International, in a letter to President Aparicio Méndez dated 17 November 1976, expressed interest in receiving further information and establishing a dialogue concerning the Uruguayan Government's proposal in the Act for an international tribunal to protect human rights.

This Institutional Act and the Bill of Law of the State of Dangerousness (September 1976) are seen as attempts to meet or pre-empt international criticism of military justice applied to civilians and of long-term preventive detention by order of the Executive. In November 1976, Amnesty International released to the press an analysis of the Bill, and requested its National Sections to inform lawyers in their countries of the law, which provides for up to six years' detention with forced labour for the "inclination to commit crime" al-

though "no offence has been committed". The bill uses measures for dealing with vagrancy, drug addiction and similar social problems, to deal also with suspected political opponents who, due to the vague wording of the law, could be practically all the citizens of Uruguay. Having met with intense national and international opposition, this Bill has so far not been made law, but neither has it been shelved.

Opposition to the law of the State of Dangerousness came mainly from Uruguayan jurists. There have been signs during the past year that concern over violations of human rights and the suspension of all political activity is also growing among military circles. This internal dissent is reported to have led to restrictions of movement and arrests of members of the armed forces.

Amnesty International estimates that at least 2,500 political prisoners are held in penal institutions awaiting the exceedingly slow trial proceedings. The number of prisoners held in military barracks or other interrogation and torture centers is more difficult to assess, but is likely to reach between 2,000-2,500 at times of intensified repression. This figure includes people rounded up for interrogation and torture as well as prisoners whose trial proceedings have begun.

Uruguay continues to have the highest per capita ratio of political prisoners in Latin America.

United States of America (USA)

President Jimmy Carter's pardon for draft resisters, which was declared in January 1977, brought about the release of Amnesty International's last adopted Conscientious Objectors in the United States. For the first time, all cases either under adoption or being investigated are of Blacks or American Indians. The difficulty in identifying Prisoners of Conscience in the United States, which was referred to in the *Amnesty International Report 1975-1976* means that the number of adopted prisoners at any one time is unlikely to be large, but Amnesty International's Research Department follows alleged cases of political imprisonment in the United States very closely and the number of adopted prisoners does not reflect the amount of time or the degree of attention given to this country.

In an attempt to solve the problems involved in identifying Prisoners of Conscience in a country where there is no overt political imprisonment, but where it is suspected that many people may be "framed" on criminal charges because of their political activities or ethnic origin, Amnesty International has, during the past year, tried to arrange for observers to attend trials in the United States

whenever there is a possibility of imprisonment for political reasons. In April 1977 a Bangladesh lawyer, Mr Shamsul Bari, attended, on behalf of the organization, the trial in Fargo, North Dakota, of Leonard Peltier, an American Indian, who had been extradited from Canada to stand trial for the alleged murder of two agents of the United States Federal Bureau of Investigation (FBI) on the Pine Ridge reservation in South Dakota. Mr Peltier was convicted, but at the time of writing his sentence has not been pronounced. His lawyers have announced his intention of appealing against the conviction (see also section on Canada).

In May 1977, a Bolivian lawyer, Dr Luis Reque, acted as Amnesty International's observer at a post-conviction hearing for nine of the organization's adopted prisoners, known as the "Wilmington 10" (one had been released on parole). Although three of the prosecution witnesses from the original trial testified that they had committed perjury and that their testimony had been the result of pressure and inducements offered by the prosecution, the judge rejected a motion for a new trial.

In April 1977 jury selection began for the trial in Los Angeles of two American Indians, Paul Skyhorse and Richard Mohawk, who have been charged with the murder of a cabdriver, George Aird, in October 1974. There are, however, reasons to believe that the two men may have been falsely implicated because of their participation in the American Indian Movement. A Chilean lawyer, Dr Eugenio Velasco, is observing the trial on behalf of Amnesty International. Jury selection was expected to continue until early May and the trial itself to last for several months.

In addition to the work of Amnesty International groups on individual adoption and investigation cases throughout the year, appeals were made by the Secretary General and International Executive Committee to various officials in the United States in connection with particular issues or prisoners. These included a telegram addressed to President Gerald Ford on 28 June 1976 to mark the occasion of the bicentenary of American Independence, in which President Ford was asked to grant an unconditional amnesty to "all those men who are unable to return to the United States because of their refusal to participate in the Vietnam war" and a further telegram to President-Elect Jimmy Carter on 18 January 1977, again appealing for a universal unconditional amnesty "for all who suffer exile, imprisonment or penalty because of past opposition to the Vietnam War".

Another issue which has concerned Amnesty International has been the use of the death penalty. In July 1976 the United States

Supreme Court ruled that the death penalty was not unconstitutional, thus opening the way to the execution of between 300 and 400 people under sentence of death. No executions had taken place in the United States since 1967 because of consideration of the issue by the Supreme Court, but in January 1977 Gary Gilmore, a convicted murderer, was executed by a firing squad in Utah. Amnesty International appealed to Governor Calvin Rampton of Utah, to President Ford and to President-Elect Jimmy Carter to intervene to prevent the execution, pointing out that Amnesty International "rigorously opposes the death penalty". An Urgent Action campaign was also mounted in an attempt to prevent the execution. After the death of Gary Gilmore, Amnesty International, in a press statement of 18 January 1977, expressed concern that his execution should not open the way to further deaths and hoped that the issue would not be confused by Gilmore's own insistence upon being executed.

On 30 August 1976 Amnesty International sent a letter to all US state governors, together with a copy of an *amicus curiae* brief which the organization had submitted to the US Supreme Court (see *Amnesty International Report 1975-1976*), and appealed to them to give careful consideration to the arguments against the death penalty contained in the brief.

Amnesty International groups were working on 14 adoption or investigation cases in the United States in June 1977.

Venezuela (Republic of)

Amnesty International wrote to President Carlos Andrés Pérez on 28 July 1976, welcoming a high-level investigation into the death in police custody of the head of the political party *Liga Socialista*, Lic. Jorge Rodriguez. Lic. Rodriguez was found dead in his cell at the headquarters of the *Dirección de Seguridad e Inteligencia Política* (DISIP) on 24 July after being interrogated throughout the night. He had been detained by DISIP agents with eight others in connection with the kidnapping of businessman William Niehous in early 1976. The forensic medical report and the death certificate said that he died of severe internal injuries. Following a congressional debate in which the DISIP was accused of torturing three others detained with Lic. Rodriguez, Attorney General José Ramón Medina ordered an undisclosed number of arrests of DISIP agents. Congress called for the dismissal of the head of DISIP, Aristides Lander Flores—who subsequently resigned—and a full investigation into the workings of the secret police organization. Amnesty International learned with

satisfaction of the detention of four DISIP agents who had reportedly carried out the interrogation leading to the death of Lic. Rodriguez, and recalled that two of the four had been named in a confidential submission concerning alleged torturers made by Amnesty International to Attorney General Medina in April 1976.

In February 1977 Amnesty International wrote to President Pérez, expressing appreciation for support from the Government of Venezuela for the resolution against torture adopted by the UN General Assembly on 13 December 1976.

ASIA

During the past year, tens of thousands of Prisoners of Conscience have been released in **India**. From January 1977 the Government had issued instructions for the release of political prisoners, but it was not until after the March 1977 general elections that the State of Emergency (in force since 1971) was revoked and the Janata Party Government released the remaining political prisoners. At the same time, the Janata Government announced its intention to release the so-called "Naxalite" prisoners held without trial, and there have been subsequent reports that several hundred of these were freed.

Whereas the new developments in **India** led to the release of numerous political prisoners, mass detention in **Indonesia** has remained without significant change. In December 1976 the Indonesian Government announced a program for settling the problem of political prisoners. This program, which will not be completed for three years, and involves the forced transportation of many prisoners to permanent penal settlements, would mean that many prisoners will in fact *not* be released promptly and unconditionally. There are still more than 55,000 political prisoners held without trial in **Indonesia**, perhaps as many as 100,000 altogether, many of them held for more than 12 years.

In **China**, there have been reports of large-scale arrests following demonstrations in April 1976. In addition, Amnesty International has been deeply concerned by the frequent use of the death penalty reportedly both for criminal offenders and those charged with "political crimes". Evidently the use of the death penalty has been widespread throughout the country, and some prisoners have been summarily executed.

More than 3,000 students and others were arrested in **Thailand** in October 1976, when military rule returned after three years of civilian-elected government. Most of those arrested, mainly students, have been released—many on bail—and about 100 students have been put on trial. The military Government has introduced decrees which entail serious erosion of civil liberty. The new Constitution gives the Prime Minister wide powers which he has used in sentencing to death without trial; so far five people have been summarily executed in this way.

Refugees arriving in Thailand from **Democratic Kampuchea (Cambodia)** last year have stated that summary executions and maltreatment of prisoners continue to occur in their home country. The refugees' allegations give rise to deep concern, and although the Foreign Minister of Cambodia has denied that there have been widespread killings, reports remain unverifiable because foreign journalists are not allowed to visit and information leaving the country is severely restricted.

It has been estimated that several hundred thousand people are still in "re-education" camps set up in 1975 in **Vietnam**. There appear to be wide variations in the conditions in these camps. The people detained without trial include many different categories of prisoner, including some who are Prisoners of Conscience.

In the past year, there has been a progressive erosion of fundamental liberties in a number of Asian countries, including the **Republic of Korea (South Korea), Malaysia** and **Singapore**. In May 1976, the mass trial began of 18 of the most prominent public persons in **South Korea**. They were charged with infringing a draconian emergency presidential decree forbidding all criticism of the President and his administration. The 18 defendants were accused of endorsing a public statement calling for the release of political prisoners and the restoration of basic liberties. In March 1977 the Supreme Court confirmed long prison sentences passed by the lower courts. Then, in April 1977, there was a wave of arrests of Roman Catholic priests, Protestant ministers, journalists, students and the wives and relatives of those already imprisoned because they had reaffirmed support for the March 1976 public declaration.

In **Malaysia**, prominent political figures, including former government ministers and members of opposition political parties, were arrested in 1976. There has been a disturbing trend towards the use of public "confessions" by prisoners as a means to justify arrests of others.

In **Singapore** too there have been continuing arrests of political suspects alleged to be members of, or sympathizers with, the proscribed Communist Party of Malaya. As in **Malaysia**, there has been a proliferation of "confessions", required from some detainees as a precondition for release, containing allegations about activities which are then used by the Government to implicate and justify the arrest of the detainees' associates.

In addition to **Cambodia** (already mentioned), a number of Asian governments severely restrict the amount of information available about violations of human rights. These include in particular the **Democratic People's Republic of Korea** (North Korea) and **Burma**.

Amnesty International has conducted a number of international

campaigns in the last year focusing on particular aspects of violations of human rights in a number of countries. There was a major campaign regarding Indian political prisoners held under the emergency. A major campaign was conducted also regarding the Indonesian Government policy of transportation of untried political prisoners to permanent penal settlements, and the holding of vast numbers of prisoners without trial. There was a campaign regarding political prisoners held without trial under martial law in **The Philippines.** There were a number of smaller campaigns on other countries.

In the past year, an Amnesty International mission was sent to **Bangladesh.** Moreover, the reports of a number of missions which took place in the preceding year were published in the past year. These included the report of an Amnesty International mission to **The Philippines.** A second edition was subsequently published incorporating the Government's 8,000-word comment, also a report based on the findings of a mission to **Pakistan.** In addition, reports were published of the findings of two missions which took place in 1975, on **Sri Lanka** and **South Korea.** A Briefing Paper was published on **Taiwan.**

In its work for political prisoners in Asian countries, Amnesty International's central concern is the adoption of individual Prisoners of Conscience, and the taking up also of cases which, *prima facie,* are of individuals unjustifiably detained without trial. This adoption casework is supplemented by campaigns and publications.

Afghanistan (Republic of)

On 7 December 1976, the semi-official *Kabul Times* announced that former army general Mir Ahmed Shah and a number of others (another report mentioned 50) were being detained on the charge of plotting to overthrow the Government. This was the third alleged attempt to overthrow the republican Government of President Sardar Mohammed Daud since it replaced the monarchy of King Zahir by a military coup in July 1973. On both previous occasions, in 1973 and 1974, the ringleaders had reportedly been found guilty by a military tribunal and sentenced to death.

In February 1977, the *Loyah Jirgah* (Grand Assembly) of the Republic elected Sardar Daud as the first President, and unanimously approved a new constitution, which includes Articles forbidding the use of torture and unjust detention. In June 1977, Amnesty International's Secretary General wrote to President Daud welcoming the human rights provisions embodied in the Constitution, but expressing

concern at certain unconfirmed reports of the torture of detainees in Afghanistan and seeking further information about how the human rights provisions of the new Constitution would be implemented. He also requested further details about the use of military tribunals in Afghanistan in cases allegedly involving the national security, and in particular about the precise charges against, and the trial of, Mir Ahmed Shah and his co-defendants. Finally, he expressed concern over the apparent continued use of capital punishment in Afghanistan.

Bangladesh (People's Republic of)

On 21 April 1977, Major General Ziaru Rahman, Chief Martial Law Administrator and effective ruler of Bangladesh, assumed the office of President and announced that general elections would be held in December 1978. By way of constitutional amendment, "secularism" was removed as one of the four principles of state policy and the Constitution was given an Islamic bias. The occasion was marked by the release of 737 political detainees and 11 political leaders, arrested in November 1976 for "activities prejudicial to the government". In fact, the political leaders had been arrested for reacting strongly against the Government announcement of 29 November 1976 that elections were indefinitely postponed. Amnesty International had cabled the Chief Martial Law Administrator on 1 December 1976 urging the early release of these prisoners if no charges were being brought.

Throughout the year, there was mounting concern about the continued application of martial law and the use of martial law tribunals to try both civilians and the military. Martial law courts have a very wide jurisdiction: they can try offences under martial law but also offences "punishable under any other law". Amnesty International is particularly concerned about the creation of Special Martial Law Tribunals, which may try offences punishable under chapters VI and VII of the Penal Code (offences against the State and against the Army, Navy and Air Force) and may hold proceedings *in camera.* Martial Law Regulation No 33, of 28 December 1976, removed the possibility of limited appeal against sentence passed by any of the martial law courts.

At least two such tribunals were set up during 1976. On 21 June 1976, Special Martial Law Tribunal No 1 opened to try Colonel Abu Taher (retired) and 32 other civilians and members of the armed forces on charges of attempting to overthrow the government of Bangladesh and of inciting the armed forces to mutiny. Most of the

accused were connected with the *Jatiyo Samajtantrik Dal* (JSD—National Socialist Party) or its military wing, the *Biplobi Gono Bahini* (Revolutionary People's Army). On 29 June 1976, Amnesty International sent a cable to the President and the Chief Martial Law Administrator expressing concern about the fact that the trial was being held *in camera* inside Dacca Central Jail and that defence lawyers, who only met their clients on the day proceedings began, had to take an oath of secrecy. The organization requested an assurance that the trial would be open to the public and that the accused could choose their own defence counsel and would be able to appeal to an independent court.

On 18 July 1976, Colonel Taher was sentenced to death, two accused were sentenced to life imprisonment, 14 others to various terms of imprisonment, while 16 others were acquitted. Amnesty International cabled President Sayem the following day appealing for clemency for Colonel Taher, stating that the trial procedures fell short of internationally accepted standards and urging the Government to order a re-trial before an ordinary criminal court of all those sentenced. This request was released to the press the following day. On 21 July 1976, Colonel Taher was executed after an appeal for clemency had been refused by the President (there being no provision in law for appeal to any legal authority). The execution constituted an important precedent since, so far as Amnesty International is aware, no political prisoners had previously been executed in Bangladesh. On 11 August 1976, the organization cabled the Chief Martial Law Administrator expressing deep distress at the execution following a martial law trial held *in camera*.

From 4 to 12 April 1977, an Amnesty International delegation visited Bangladesh. Sean MacBride, SC, former Chairman of the organization's International Executive Committee, and Yvonne Terlingen, from the International Secretariat, received considerable cooperation from the Bangladesh Government and had detailed discussions with Major General Ziaur Rahman, the Chief Martial Law Administrator, the then President Mr Justice A.M. Sayem and the Secretaries of the Ministries of Foreign and Home Affairs. Sean MacBride also addressed members of the Supreme Court Bar Association and the delegates met lawyers, journalists, academics and some members of political parties. A report of their visit was presented to President Ziaur Rahman on 23 June 1977. The report reflects Amnesty International's concern about the continuation of martial law, the trial of political prisoners before martial law courts and the conditions in which political prisoners are being held.

Taking into account the delegation's findings, Amnesty International estimates that there are at present between 10,000 and 15,000 political prisoners in Bangladesh. A few thousand are held under the provisions for preventive detention laid down in the Special Powers Act and the Emergency Power Regulations, but the majority are held on charges punishable under emergency regulations and martial law, mostly, however, without being tried. (A Bengali daily, *Ittefaq*, reported on 19 February 1977 that of the 36,685 prisoners held in Bangladesh as of that date, only about one-fifth had been convicted.) Political prisoners are usually tried by martial law courts or by special tribunals set up under the Special Powers Act. The Amnesty International report expresses concern about the restricted procedures which apply to martial law courts which try political prisoners.

The majority of political prisoners in Bangladesh belong to the *Jatiyo Samajtantrik Dal* (National Socialist Party) and associated organizations; but hundreds of members of the former Awami League, and the BAKSAL—the one-party system introduced during the latter part of Shaikh Mujibur Rahman's administration—are still in prison, mostly on charges of corruption, or are serving sentences passed by martial law courts. It is suspected that, at least in some cases, such charges have been brought for political reasons. Members of various left-wing groups are also in prison, the majority arrested when the Awami League was in power.

In view of the nature of most political opposition in Bangladesh and the serious criminal charges brought against many political prisoners, Amnesty International has adopted only a few as Prisoners of Conscience. However, during the Amnesty International mission, the delegates discussed the cases of 19 political prisoners belonging to various political parties, in order to find out why they were still in jail. Amnesty International discussed the cases of members of the *Jatiyo Samajtantrik Dal*, the Democratic League, the East Bengal Communist Party (Marxist-Leninist), the Awami League, the National Awami Party (*Muzaffar*) and the various Maoist opposition groups. Some of these were released in the amnesty declared shortly afterwards.

On coming to power, the Government pledged to release all political prisoners and, as of December 1976, according to government statistics, 2,837 political detainees had been released under various amnesties declared by the present Government. Those released belong to various political groups, but members of the *Jatiyo Samajtantrik Dal* do not appear to have benefited from the amnesties. And there have been fresh arrests of members of this and other political parties, while in a few cases political prisoners whose release was ordered by

the High Court have been re-arrested at the jail gates on different charges. Moreover, the Amnesty International delegation noted that a number of prisoners arrested under previous administrations were still being held without trial. When discussing an official list of 383 political detainees arrested while the Awami League was in power in 1975, the Amnesty International delegates realized that at least 115 were still being held without charge or trial. Amnesty International has now taken up 40 of their cases for investigation, and urged the Government to review their position as a matter of the highest priority.

The Amnesty International report prepared by the mission delegates was forwarded to President Ziaur Rahman, and other government officials whom the delegates met, on 23 June 1977. The report noted the absence of constitutional and legal safeguards existing under the martial law provisions, under which political prisoners can be held and tried. It made a number of recommendations, which include the announcement of a date for the lifting of martial law. In the meantime, the report suggested the Government could immediately restore the supervisory jurisdiction of the civil courts, could allow lawyers to appear before martial law courts in their legal capacity and could limit the use of martial law only to offences including armed insurrection and limit its use only to areas where there is a military threat of armed insurrection. The report further recommended that the Government fix a date for the early release of all political prisoners detained for more than six months without being tried or convicted, and urged the Government to speed up procedural administrative measures for the review of all political prisoners held in detention. The report also drew attention to serious overcrowding in jails and recommended that special attention be paid to the prevailing bad sanitary and medical conditions.

Some reports reached Amnesty International during the year of ill-treatment of political prisoners after arrest. These reports allege that severe beatings and burnings with cigarettes take place frequently during the period of interrogation, particularly in the Dacca Cantonment and the NSI (National Security Intelligence) interrogation centers. Amnesty International has not been able to verify these allegations; however, on 21 February 1977, the organization cabled the Chief Martial Law Administrator expressing concern about the deteriorating health of JSD leader Serajul Alam Khan. According to reliable reports, during his prolonged interrogation he had been deprived of food, drink and sleep. He is at present serving a seven year prison sentence, having been convicted by Special Martial Law Tribunal No 1 on charges of attempting to overthrow the Government. Reports that he was to be retried *in camera* were not verified by the mission delegates.

Amnesty International has continued to work for the release of 19 adopted political detainees in Brunei who are still being held without trial, although 30 of the original group of 49 adopted prisoners have been released.

The organization welcomed all the releases, including the release of groups of detainees on 17 December 1976 and 5 March 1977, but is still concerned that the 19 men, most of whom have already spent more than 13 years in detention without trial, remain prisoners.

The prisoners were members of the *Partai Rakyat* (People's Party) and were originally detained following the suppression of a revolt in December 1962. They are held under emergency orders which have been in force since 1962.

Amnesty International has written to the Sultan of Brunei, Hassanal Bolkiah Muizzaddin Waddaulah, urging an immediate review of the cases of all the remaining prisoners with a view to their speedy release.

Burma (Socialist Republic of the Union of)

On 20 July 1976, the Burmese Government announced it had uncovered a plot to assassinate President Ne Win. Fourteen army officers were arrested in connection with the plot and eight of them were brought to trial. On 10 September, the trial began in a Rangoon Division Court, inside the closely guarded Insein Central Prison. The chief defendant was Captain Ohn Kyaw Myint, charged with high treason under Section 122(1) of the Penal Code. Ohn was accused of plotting to assassinate President Ne Win and destroy the Burmese Socialist Program Party (BSPP). Three other officers were accused of high treason, three were accused of harbouring persons engaged in high treason and the former General Tin Oo, dismissed as Defence Minister in March 1976, was charged with concealing knowledge of the plot.

In January 1977, Ohn was sentenced to death for masterminding the assassination plot. The other officers were given sentences ranging from five years' to life imprisonment. General Tin Oo was sentenced to seven years. On 21 January, Amnesty International cabled President Ne Win urging that he commute the death sentence passed on Ohn Kyaw Myint.

In early 1976, the Council of People's Attorneys was instructed by the Burmese Government to determine whether military tribunals were constitutional. The Council is said to have advised the Government that tribunals were unconstitutional. In mid-1976, there were

reports that tribunals were transferred to the People's Courts. Although military tribunals were not constitutional, military courts were permissible under martial law.

In September 1976, the Government announced the lifting of martial law in Rangoon. It had been imposed in Rangoon in December 1974 during the student demonstrations in connection with the burial of former United Nations Secretary General, U Thant. An amnesty was announced for 1,600 people who had been convicted by the military courts, and the sentences of a further 3,300 were reduced. On 1 October 1976, the universities were opened after six months of closure. Students were required to sign pledges that they would not engage in political activities against the state.

An accurate estimate of the number of political detainees in Burma is not available; some observers have reckoned that several thousand students and workers had been arrested between December 1974 and March 1976. At least several thousand political prisoners are held in the prisons of Rangoon and the provinces.

China (People's Republic of)

Political events in the People's Republic of China were marked in 1976-1977 by the most important leadership changes in the country since 1949. After the death of Chairman Mao Tse-tung in September 1976, the arrest of the four "radical" Party leaders—officially named the "gang of four"—was followed by purges in the Party and administration throughout the country. At the same time, many official reports revealed a situation of extreme tension in several provinces where strikes and riots had broken out.

Severe measures were taken by the Government, as is evident from the number of executions reported to have taken place at the beginning of 1977. Although detailed information was not available, reports in the official press indicated that many arrests were made, some of them of people suspected of having been followers of the four purged Party leaders.

During the past year Amnesty International made enquiries and appeals to the Government of the People's Republic of China about cases of arrest, political imprisonment and the death penalty. In January 1977, the organization cabled Chairman Hua Kuo-feng urging the release of people arrested in connection with the April 1976 demonstrations in Peking's Tian An Men square. In May 1976, it had enquired about these arrests, said to have been made on and after 5 April 1976 (see *Amnesty International Report 1975-1976*).

Wreaths in homage to the late Premier Chou En-lai and poems supporting his policy had been brought to the square by tens of thousands of people at the beginning of April. They were removed during the night of 4 to 5 April and demonstrators started protesting about this on the following day. Violent clashes occurred in the evening of 5 April when police, the militia and soldiers moved into the square to disperse the few thousand remaining demonstrators. The total number of those arrested is not known. According to some reports, several thousand had been arrested during and after the demonstrations. On 18 March 1977, *Agence France-Presse* (AFP) in Peking reported that wall-posters seen around the two main universities in the capital welcomed the "return of the people arrested in the Square of Heavenly Peace", but no indication was given of the number of those released. The AFP report further stated that according to semi-official sources the number of arrested demonstrators was estimated at between 300 and 600.

In the Spring of 1977, Amnesty International made several urgent appeals to Chairman Hua Kuo-feng to reprieve death sentences said to have been passed in February, March and April in several provincial cities, and expressed deep concern at reports that immediate execution was ordered for some of those sentenced. The organization stated that it was opposed to the death penalty in all cases and urged that death sentences be commuted on humanitarian grounds.

Foreign correspondents in Peking reported on 17 March 1977 that the High People's Court of Shanghai had pronounced death sentences on 53 convicted criminals, 26 of whom were ordered to be executed immediately. The 26 reportedly included 24 criminal offenders charged with "murder, stealing mail and looting grain stores" and two people charged with "political crimes". One of the latter was said to have hampered criticism of the "gang of four" and the other to have opposed the official policy of sending "educated youths" (urban high school graduates) to work in the countryside. More than 40 other death sentences and executions were also reported in February, March and April in the cities of Wuhan, Hangchow and Canton, and in Fukien province. Some of the victims were political offenders.

In May 1977, eight young men were reported to have been sentenced to death in the northern city of Shenyang, in one case with suspension of execution for two years, and a ninth offender was said to have been sentenced to life imprisonment. Those sentenced to death included a 24-year-old man accused of having founded his own political movement, listened to foreign radio broadcasts and attempted to reach the Soviet border. One of the nine was

reportedly accused of writing "counter-revolutionary" poems and slogans. Amnesty International expressed deep concern at these reports and urged again that death sentences be commuted. No further information was available about these particular cases, but it is believed that more executions were carried out throughout the country at that time. An official confirmation that executions were taking place was given by Vice-Premier Li Hsien-nien in an interview published in the British newspaper the *Sunday Times* of 25 March 1977.

During the past year, more information has been available about human rights in the People's Republic of China, obtained from various sources inside China and elsewhere. One example was the letter from a "resident of Shanghai" published by the *Far Eastern Economic Review* of Hong Kong at the end of March 1977. The letter, which the review believed to be authentic, listed 24 prisons, detention centers and labour-reform camps in the Shanghai area. The author said he was speaking for the "young intellectuals of all of Shanghai" and strongly criticized the "labour-reform" system and the policy of sending educated youth and intellectuals to work in remote rural areas. He stated: "everyone has to struggle against selfishness and criticize revisionism", to "show their real attitudes" in order to survive the continuous purges. "If you fail you'll be imprisoned or sent down to a labour-reform farm. If you make one wrong statement, while you won't be beheaded, you can be locked up for many years."

Available information indicates that widespread arbitrary arrests have been made during important political campaigns in the past 10 years; many of those arrested were political offenders. While most were apparently released after a period of detention varying from several days to several months, others are reported to have been detained for several years "for investigation", whilst a minority were apparently sentenced to various terms of imprisonment or to "reform-through-labour".

An account of one such arrest was given on 5 May 1977 in the American newspaper the *Washington Post,* whose correspondent was able to interview the victim, Mrs Yuan Hsueh-fen, in Shanghai. According to the report Mrs Yuan, a Shanghai opera actress and singer who was a friend of the late Premier Chou En-lai, had been arrested during the Cultural Revolution in 1967 and was branded "a bourgeois element, a rightist and a counter-revolutionary". She was isolated in one room for four years, prevented from seeing her family, and had to undergo about 500 "accusation meetings". In 1972 she was sent to work on a farm and was finally released in 1973, but prevented from carrying on her profession. She was not

arrested on any particular charges although she was later accused of belonging to a "certain Kuomintang organization". She blamed her arrest on Chiang Ching, Mao Tse-tung's widow, and on the other "radical" leaders from Shanghai who were purged in October 1976.

Although it is obvious that Mrs Yuan attributes her arbitrary treatment to the "gang of four", it is worth noting that dissent from the official policy has always been liable to be punishable by sanctions ranging from various forms of "work under supervision of the masses" to a formal sentence of imprisonment or of labour-reform in a camp. Moreover, since the cultural revolution, long-term detention without trial and judgement passed without legal protection for the accused have been reported to have become the prevailing practice. Equally, appeal against the sentence is guaranteed by law, but is reported to be often considered in practice a sign that the accused do not recognize their "crimes" and therefore show no "willingness to reform", which may lead to further punishment. What the Chinese describe as the "flexibility" of the system therefore apparently allows for both harsh or relatively mild punishment being inflicted upon political offenders, depending on the case, the place and the situation in which a person is arrested.

In May 1977, it was reported that three young men, authors of a poster displayed in Canton in 1974, had been labelled "counter-revolutionaries" and sent to a labour-reform camp. Amnesty International wrote to Chairman Hua Kuo-feng on 27 May urging that an enquiry be made into their case and that, if they were still detained or restricted, they be released and allowed to return to their original unit in Canton.

The poster displayed in the streets of Canton in November 1974 was signed with the pseudonym Li Yi-che, which was a combination of the three authors' names, Li Cheng-tien, Chen Yi-yang and Huang Hsi-che. The poster was entitled "Concerning Socialist Democracy and Legal System", and was unusual in its length and contents. It criticized the repression which took place under Lin Piao, former Vice-Chairman of the Party, who fell from power in 1971 and was held responsible for numerous arbitrary arrests. It raised, in a very outspoken way, the issues of repression, democracy and the legal system in China from a general point of view. It contained strongly worded criticisms of the faults of the system, of the kind that had appeared on posters and in Red Guard journals during the Cultural Revolution. Such criticisms, however, had become rather unusual by 1974. The following extracts concern the "rights of the people":

> ". . . among the revolutionaries who put up real fights to oppose the Lin Piao System, not a few had their heads chopped off and so

they are headless; those who were imprisoned are still in prison; and those who were dismissed from office are still suspended."

"The masses of the people . . . demand democracy; they demand a socialist legal system and they demand the revolutionary rights which protect the masses of the people."

"Are the people's democratic rights not written in our Constitution and Party constitution and Central documents? Yes, they have been written down. Not only that, but there also are the stipulations of 'protecting the people's democracy', 'not allowing malicious attacks and revenge' and 'forbidding extracting a confession by torture and interrogation'. But these protections have been, in fact, always unavailable; while, on the contrary, Fascist dictatorship has been 'allowed' to be practised over the revolutionary cadres and masses—some of them were imprisoned, some executed, and some framed in fabricated cases; even the unlimited practice of savage corporal punishments cannot be 'strictly forbidden'."

The poster, which immediately attracted an enormous amount of attention, was soon criticized by the authorities as "reactionary" and representing "bourgeois thoughts". In December 1974, Li Cheng-tien, Chen Yi-yang and Huang Hgi-che were taken to "mass metings" around Canton for criticism. It is reported that Chen and Huang, under pressure at the meetings, admitted their "guilt" and were sent to farms in the countryside to work under surveillance. Li reportedly defended his position during the meetings. He was said to have been sent, at the beginning of 1975, to work under "political supervision" in a mine north of Kwangtung province, where he still was in early 1977. From available information, the punishment known as "work under supervision" may last as long as the accused do not recognize their misdeeds and may become a formal sentence if they do not "reform" by changing their opinions. In June 1977, no further information was available on these three cases. They are being followed up by Amnesty International groups.

Apart from the work on these recent cases, Amnesty International is also adopting cases of persons arrested in earlier years. One concerns a protestant pastor, Wang Ming-tao, who was arrested in 1955 and later sentenced to life imprisonment. Wang, who was born in 1900 in Peking, was the leader of a religious congregation in the capital, the Christian Tabernacle. He was arrested on charges of "opposing the government", "preaching anti-government statements" and "collaborating with American imperialists". It appears, in fact, that the charges were mainly based on Wang's relationship with some American friends before 1949, and on his refusal to join an officially

inspired religious movement, the "Three Self-Reform Movement" founded in 1951, which advocated severance of relationships between the Chinese churches and churches abroad. Wang Ming-tao was reported to be detained in Peking in 1966 and to have been transferred to Shensi province in 1970. Although very little has been heard about him in the past few years, there were indications that he was still alive and detained in 1974. It is known that some members of religious communities were arrested in the 1950s, but there has been no news of them for more than 10 years.

Amnesty International is also concerned about the fate of students, intellectuals and others arrested during the 1957 "anti-rightists'" campaign. Very little has been heard about several famous writers known to have been sent to "reform-through-labour" at that time. The organization is adopting Lin Hsi-ling, a university student arrested in 1957 on charges of being a "rightist". It is reported that she was later given a 20-year sentence with deprivation of civil rights for life, and that she was still being detained at the time of the Cultural Revolution. She was 21 and a student at the China People's University in Peking in 1957. She had previously been a member of an art group in the People's Liberation Army. When the "Hundred Flowers" movement was in progress, she wrote articles critical of the Party, on the basis of which she was labelled a "rightist" and arrested. The movement had been launched in 1957 on the initiative of Chairman Mao as an invitation, particularly to intellectuals and members of the former parties, to voice their grievances against the cadres and bureaucratic practices. However, the movement was soon stopped and was followed by a campaign against "rightists" throughout the country, in which those who had been outspoken in their criticism of the Party were in turn criticized or arrested.

There is little information available as yet about individual cases of people arrested recently, although the official press has, on many occasions during the past year, mentioned the discovery of cases involving "counter-revolutionary" activities. These may be cases of violent as well as non-violent political "crimes". Research is continuing on these arrests as well as on the general issue of imprisonment.

India (Republic of)

Massive imprisonment of Prisoners of Conscience in India ended as a result of political developments in early 1977. At least 40,000, and perhaps as many as 100,000, political detainees were released following imprisonment without trial under emergency provisions. An

emergency had been declared on 26 June 1975 by the Government of Prime Minister Indira Gandhi, on the grounds of the threat of internal disturbances (see *Amnesty International Report 1975-1976*).

The release program started when, on 20 January 1977, the Government announced that general elections—postponed indefinitely on 30 October 1976—were to be held in two months' time and that emergency regulations were being relaxed. The Government issued instructions at the same time to all 22 states to start releasing detainees and to allow public meetings in preparation for the elections. Prominent opposition leaders were indeed released shortly after this announcement, but the Government retained the Maintenance of Internal Security Act (MISA), whose scope had been widened during the Emergency to permit indefinite detention without trial without even the right to be told of the grounds for arrest (Article 16-A, MISA). The MISA and the Defence of India Rules in particular had been used extensively to detain peaceful opponents of the Government after the declaration of a national State of Emergency on 26 June 1975. The Government also said that leaders of recognized opposition parties might remain in prison and announced that members of the parties banned during the Emergency—such as the Communist Party of India (Marxist-Leninist), the *Ananda Marg* and the *Jamaat-e-Islami-e-Hind*—and those with "leanings towards such parties" would remain in detention. On 20 February 1977, Defence Minister Bansi Lal stated that "no political prisoners were in jail"; but in early March, the Janata Party (then in opposition) claimed that as many as 30,000 political prisoners were still being held in various parts of the country. The weeks preceding the 17 March 1977 general elections saw further releases of hundreds of political prisoners in the various states, but official government statistics published after the new Government took over showed that, on 19 March 1977, 17,754 political detainees were still being held under the preventive detention provisions of the MISA alone. (As of 19 March 1977, 10,903 persons were being held under Article 16-A of the MISA and, on 25 March 1977, 6,851 were being held without trial under the ordinary provisions of the Act, the grounds for detention having been communicated to the detainees.) These figures exclude an unknown but large number of political prisoners then held under the Defence of India Rules.

The Government was defeated in the elections by the coalition Janata Party—many of whose leaders and party workers had earlier been adopted as Prisoners of Conscience by Amnesty International—and, shortly before resigning, Prime Minister Indira Gandhi announced on 21 March 1977 the revocation of the national State of

Emergency, which had been in force since 1975. This meant that the Constitution's fundamental rights provisions and the right of *habeas corpus* were again enforceable.

The huge curtailment of the fundamental freedoms of Indian citizens during the Emergency—the suspension of constitutionally guaranteed fundamental rights and the right of *habeas corpus*, and large scale arbitrary imprisonment of peaceful government opponents —was described in *The Amnesty International Report 1975-1976*. The disturbing pattern continued throughout 1976, and a most significant development was the passing of the Constitution (44th Amendment) Bill by the *Lok Sabha* and *Rajya Sabha* (the Lower and Upper House, respectively) in November 1976, at a time when at least 38 members of both Houses of Parliament were in detention. The Amendment met with widespread criticism from eminent jurists throughout the country. (It should be noted that, throughout the whole period of the Emergency, the Indian Bar distinguished itself by organizing peaceful protests against the drastic curtailment of fundamental rights and readily gave assistance to many Prisoners of Conscience arrested under the Emergency provisions.) Amnesty International was particularly concerned about those of the 59 clauses in the Amendment Bill which directly curtailed even further the fundamental rights guaranteed in the Constitution, and the independence of India's judiciary. Article 31-C of the Bill amends the Constitution in such a way that almost all laws and government actions are made unchallengeable in court on the grounds of violating fundamental rights provisions.

On 4 October 1976, Amnesty International wrote to Mr H.R. Gokhale, Minister of Law and Justice, explaining the organization's concern: "The amendments provide for new federal legislation to outlaw 'anti-national activities' and 'anti-national associations', both describing a wide range of activities in terms that are so vaguely worded as to invoke the abuses of arbitrary interpretation and application, particularly with respect to the legitimate expression of political views. Indeed, the amendments specify that this legislation cannot be examined by the courts to assess its compatibility with Articles 14, 19 and 31 of the constitution, which guarantee the rights to equality before the law, freedom of speech and expression and the freedom of association." (The new Government is committed to an early repeal of the constitutional amendments passed during the Emergency.)

Work for the release of the thousands of Prisoners of Conscience and for the improvement of their treatment after arrest had throughout 1975-1976 assumed highest priority in the organization's work

in Asia. The program of adoption of Prisoners of Conscience was expanded and, as of early January 1977, Amnesty International was working for 206 adoption and seven investigation cases.

On 26 June 1976, the first anniversary of the declaration of the State of Emergency, Amnesty International made a public appeal to the Indian Government to mark the occasion by declaring a general amnesty for the at least 40,000 political prisoners who, the organization estimated, were being held without trial. Amnesty International also urged the Government to restore constitutional safeguards and implement the provisions of the *Universal Declaration of Human Rights*. The organization also repeated its unanswered request that an Amnesty International delegation be allowed to visit India and meet government officials. It also asked the Government to initiate an independent inquiry into a considerable number of reports alleging ill-treatment of prisoners after arrest.

On 27 January 1977, the organization wrote to Indira Gandhi welcoming the Government's decision to release political prisoners and asking it to speed up its release program. It also urged the Government to consider revoking the MISA and the Defence of India Rules in the near future, and to review the cases of political prisoners still detained under the Emergency provisions. It urged the Government to publish numbers and names of prisoners it released.

More and more reports that political prisoners were being ill-treated in detention or tortured after arrest reached Amnesty International from all over India during 1976, but were often very difficult to verify.

The organization received a signed statement about treatment after arrest from Jasbir Singh, one of three students from New Delhi who was arrested on 23 June 1976 and said he had been beaten for five days after arrest, in order to force him to confess to having engaged in subversive activities. He had been made to swing hanging from a pole, to which his hands and feet were tied, as a result of which he started vomiting blood. Another well-documented case reported was that of Lawrence Fernandes (brother of Socialist Party leader George Fernandes) who was seriously beaten for several days, threatened with being killed and deprived of food for three days if he would not disclose the whereabouts of his brother George, who was in hiding. According to his mother's signed statement, she found him on 26 May "looking dead, unable to move as a result of beatings by the police. His left side is without use as if crippled and both his left leg and hand are still swollen". When George Fernandes was arrested on 10 June 1976, Amnesty International members cabled the Government requesting that he be given immediate access to a lawyer and that his physical protection be guaranteed.

After the new Government came to power on 24 March 1977, a series of reports were published in the Indian press which appear to establish a pattern of police brutality to extract confessions of "conspiracies" during the State of Emergency occurring in most Indian states. According to these reports, during the Emergency prisoners were hung upside down and beaten, lit candles were placed under the soles of their feet and rats were tied inside their trousers. In the State of Kerala, the "roller treatment" is reported to have been frequently used. (This consisted of rolling a heavy wooden or steel roller, weighed down by a number of police, over the prisoner's legs.) This treatment killed at least one person—engineering student P. Rajan—who was arrested on 1 March 1976 when 300 young people were arrested throughout the state, accused of involvement in "Naxalite activity". The "Naxalites" are officially known as the Communist Party of India (Marxist-Leninist); some factions are committed to violent revolutionary methods. The state Government first denied knowledge of his arrest and that of three other students, but after a *habeas corpus* petition had been filed, the High Court of Kerala issued orders to the state's Chief Minister to produce P. Rajan in court. This led to the resignation of the Chief Minister and four police officials, who confirmed on 23 May 1977 that P. Rajan died "while in unlawful custody at Kakayam Camp on 2 March 1976, as a result of continuous torture with iron and wooden rollers".

Other disturbing reports of deaths as a result of police torture during the Emergency were confirmed by a committee established after the Emergency was revoked. The Committee of Inquiry set up by Jaya Prakash Narayan, President of Citizens for Democracy, and headed by V.M. Tarkunde, lawyer and President of the Supreme Court Bar Association, to investigate the death of left-wing political activitists in Andhra Pradesh in so-called encounters with the police, has confirmed the deaths as a result of police torture, on 24 July 1975, of four young men suspected of "Naxalite" activity. The Committee also found that four other "Naxalites", who, according to official reports, were said to have died in "encounters" with the police, were in fact arrested by the police on 31 October 1976 and shot dead the same day.

Throughout the State of Emergency, Amnesty International received a number of reports of political prisoners not receiving adequate medical treatment in jail, or of those on hunger strike in protest against their conditions being beaten. On 17 May 1976, the organization cabled the Minister of Home Affairs and the Chief Minister of West Bengal calling for a restoration of all rights existing under the jail code for political prisoners held in Presidency Jail, Calcutta. The appeal was made after reliable reports had been received

that six political prisoners, belonging to various opposition parties, had gone on a hunger strike, protesting against the withdrawal of the provisions relating to political prisoners.

In October 1976, Amnesty International members expressed concern to the Government about the health of G.G. Parikh, a socialist leader from Maharashtra, whose heart condition seriously deteriorated during imprisonment. On 1 December 1976, the organization wrote to the Minister of Home Affairs about the conditions in which prisoners were reportedly being held, drawing the Government's attention to reports that many families of prisoners detained under Emergency laws were not receiving any family allowance during their relatives' long period of imprisonment.

Precisely how many political prisoners have been detained without trial during the Emergency is not yet known. However, official statistics published by the new Government showed that 34,630 people had been detained under the MISA during the State of Emergency. (This figure excludes the thousands of political prisoners detained and charged under the Defence and Internal Security of India Rules.) Of these, 6,244 were held under the ordinary provisions of the Act, but the vast majority, that is, 28,386, were held under the Emergency provisions of the MISA, Article 16-A, which permitted political detainees to be held without even being informed of the grounds for arrest. The states holding by far the largest number of detainees during the Emergency were Uttar Pradesh, Madhya Pradesh, Maharashtra and West Bengal. The majority were held under the provisions of the MISA, around 8 January 1977, when the total was 20,446. Some 17,000 of these were still in detention at the time of the elections, 17 March 1977. When the State of Emergency, imposed by Indira Gandhi for reasons of "internal security", was revoked on 21 March 1977, the 10,903 prisoners held under the Emergency provisions of Article 16-A of the MISA were automatically released.

The new Janata Party Government, headed by Prime Minister Morarji Desai, assumed office on 25 March 1977 and promised to restore fundamental rights and to review, and possibly repeal, the provisions of the MISA, under which the vast majority of political prisoners had been detained. Shortly before, Surendra Mohan, a General Secretary of the Janata Party, stated that "All political detainees will be released and if any court proceedings are in progress, they will be reviewed".

The new Government's first act was to revoke the State of Emergency, declared for external reasons on 3 December 1971. Emergency legislation, like the Defence and Internal Security of India Rules, under which political prisoners had been charged for taking

part in processions, lapsed as a result, as did Presidential orders passed during the Emergency suspending constitutionally guaranteed fundamental rights. Furthermore, the new Government reiterated its determination to protect the independence of the Indian judiciary. It cancelled the transfer of at least 21 judges, which had taken place during the Emergency against the judges' wishes, following their rulings unfavourable to the government then in power.

On 25 March, Amnesty International sent a cable to Prime Minister Desai, congratulating him on assuming office and wishing the Government all success with implementing the restoration of fundamental rights of Indian citizens. The organization received a cable from Prime Minister Desai on 30 March with the text: "I am grateful to you and Amnesty International for your message of congratulations on my assumption of office as Prime Minister of India. My colleagues and I warmly recall the efforts made by Amnesty International for the restoration of fundamental freedoms and civil liberties."

Secretary General Martin Ennals wrote to the Prime Minister on 1 April, thanking him for his reply and expressing Amnesty International's appreciation for the steps taken by the Government, particularly its decision to release political prisoners held under the Emergency provisions. It also asked the Government to review, as a matter of priority, the cases of a number of left-wing political prisoners, alleged members of the Communist Party of India (Marxist) and Communist Party of India (Marxist-Leninist)—("Naxalites"), about whose prison conditions the organization had published a report in September 1974 (see *Amnesty International Annual Report 1974-1975*). The majority have not been held under Emergency laws, but have been in prison for long periods, charged with a number of specific offences, often, however, without being tried.

When the new Government took over, there were still 6,851 people in detention under the ordinary provisions of the MISA. On 5 April, Minister of Home Affairs, Charan Singh, stated that he hoped that at least 5,500 of them would be set free in the coming weeks. He had advised state governments to release all political prisoners still in detention "except where the interest of the security of the country were clearly involved or where persons had been detained on account of their violent activities". The first category, which, according to him, amounted to several thousand, included "spies, foreign agents, those indulging in espionage activities and rebels working underground". They also included the "Naxalites" whose release might prejudice the security of the state. The second category were those found guilty of violence in February and March 1977. The Government said that all these cases would be reviewed.

The Minister of Home Affairs stated that, as of 25 March, there were still 645 "Naxalites" in detention in the states of West Bengal, Andhra Pradesh, Kerala and Tamil Nadu. According to later official statistics, the figure may actually be higher.

On 10 April 1977, General Secretary of the Communist Party of India (Marxist-Leninst), Satyanarain Singh, claimed there were as many as 12,000 "Naxalites" detained all over India, 6,000 of whom were held under the MISA. The other 6,000 were held on specific charges (such as the Defence of India Rules, the Arms Act and the Indian Penal Code). And, on 15 May, the Communist Party of India (Marxist) submitted a list of 293 of its imprisoned members, including people sentenced and people detained without trial.

Since then, official reports have been received that more prisoners held in preventive detention have been released (on 25 May 1977, 550 MISA detainees, "Naxalites", were released, according to the West Bengal Home Ministry, leaving 400 "extremists" in detention) and that prison conditions, already criticized in the *Amnesty International Report on Prison Conditions in West Bengal Jails*, have been improved. (The state Government also reported that it would no longer use iron fetters on "Naxalite" prisoners.) On 7 April 1977, Amnesty International released a public appeal to the Government, urging it "to release promptly all prisoners who are not to be tried. The others should be given prompt trials, with the possibility of being released before trial".

Indonesia (Republic of)

Despite recent Government promises, there has been no significant change in the long-standing and massive violation of fundamental rights. More than 55,000 prisoners, perhaps as many as 100,000, all detained without charge or trial since 1965, are now in their 13th year of imprisonment.

On 1 December 1976, the Government made a much-publicized announcement of a program for the release of political prisoners held without trial. Regrettably, it appears that the Government's plan is to release only some of the prisoners; as for the remainder, the Government intends to "transmigrate" them, which really means that they will be compulsorily transported to permanent penal settlements.

There is a precedent for a "transmigration" scheme for untried political prisoners, begun in 1969 when the Government shipped thousands of prisoners from Java to the island of Buru. Eventually, by 1971, some 10,000 prisoners were held in camps on the island.

They were forced to construct the prison camps and to clear tropical jungle and create areas for cultivation. All the Buru prisoners, except those who are seriously ill, have to work long hours in the fields to grow food and raise livestock. One third of the prisoners' produce is seized by the military administration for the consumption of the soldiers who guard the Buru prison camps. The remainder constitutes the food rations that are given to the prisoners. In 1976, the Committee of Experts of the International Labour Organization issued a report affirming that the Buru prisoners "cannot be considered to have offered themselves voluntarily for the work in question, but are performing forced or compulsory labour within the meaning of the [International Forced Labour] Convention. The Committee trusts that measures will be taken at an early date to put an end to this situation."

The Indonesian Government immediately responded by reiterating its promises made in December 1976. This did not satisfy the International Labour Organization, whose Committee of Experts declared in its 1977 report that it ". . . feels bound to point out that in order to ensure the observance of the Convention, detainees who are not brought to trial should be permitted once again to enjoy full and effective freedom of choice of employment. It hopes that the Government will take the necessary measures to this end."

In 1976, the Government transported several thousand more prisoners to Buru, and there are now about 14,000 held in camps on the island. Amnesty International National Sections conducted a major campaign from the autumn of 1976 till the spring of 1977 on the issue of transportation of untried prisoners to permanent penal settlements, as exemplified by the Buru scheme, calling for the immediate release of all the Buru and other untried prisoners, and protesting against the harsh conditions in the island prison camps.

The other aspect of the official December program concerns the release of untried prisoners. The reason given by the Government for planning releases over a three-year period—during which time it promises that all the untried prisoners will be released, tried or "transmigrated"—was that high unemployment in the Republic, especially in Java, necessitated both a three-year release plan and "transmigration". Amnesty International believes there is no justification for further delaying the unconditional release of all untried Indonesian political prisoners, especially considering that most of them have now spent more than 12 years in detention without trial. Chronic high unemployment in Indonesia is not the prisoners' fault, and the Government's long-standing violation of their rights should now be ended by their immediate, unconditional release.

On 1 December 1976, Chief of Staff of *Kopkamtib* (the state

security agency), Admiral Sudomo, officiated at a ceremony in Jakarta where he announced the release program, also that 2,500 prisoners had been freed that day. A group of prisoners was present at the ceremony, representing all those being released. It should be noted, however, that Amnesty International sources in Indonesia are very doubtful about the accuracy of the figure of 2,500 announced released in December 1976. Known instances of releases at that time indicate that, in fact, far fewer were set free. Despite repeated requests by Amnesty International, the Indonesian Government has not supplied details of the 2,500, nor about the previously announced releases of 1,309 prisoners in December 1975.

Admiral Sudomo stated that the scheme would be spread over three years for those prisoners whom the Government did not intend to bring to trial. He said that 10,000 would be released in 1977, a further 10,000 in 1978 and the remainder in 1979.

Amnesty International believes that if the Government is serious about a release program affecting perhaps as many as 100,000 untried prisoners, then it would immediately have to start a regular flow of releases at the rate of at least 2-3,000 prisoners per month for every remaining month until December 1979. Up till now (June 1977), no further releases have been announced by the Government, although six months have passed since December 1976, when the program was announced.

Amnesty International will continue to insist that *all* the tens of thousands of untried prisoners be released immediately and unconditionally. The Government's program of phasing releases over a three-year period is deeply disquieting since even this unsatisfactory delayed program seems unlikely to be carried out. There is no sign that the Government is embarking on the large-scale releases necessary to fulfil the program and it has ignored requests to supply relevant details about those it claims have been freed.

Conditions in most Indonesian political prisons are still deplorable. The Government seems aware of this, as indicated by the way it hindered a recent visiting team sent by the International Committee of the Red Cross. Following that mission, the International Committee took the unusual step of issuing the following statement:

> "An ICRC mission consisting of four delegates, two of them doctors, was in Indonesia from 25 January to 18 February to visit seven places of detention selected by the Indonesian authorities. The centres visited were Salemba, Nirbaya, Ambarrawa, Plantungan, Koblen, Sukamulia and Tandikat.
>
> In accordance with custom, the ICRC communicated the observations of its delegates only to the Indonesian Government. In

> submitting its report, the ICRC drew the attention of the authorities to the fact that its delegates' findings could not be regarded as an indication of the real conditions of detention in Indonesia for two reasons: the limited number of places visited and the difficulties encountered during the visit.
>
> The ICRC will continue its visits to places of detention in Indonesia on the condition that these difficulties are overcome."

In October 1977, Amnesty International plans to publish a major report on political imprisonment in Indonesia, which will be submitted to the UN Commission on Human Rights as additional documentation to the submission to the UN Secretary General in February 1973, asking the Commission to "intercede with the Government of Indonesia to ensure the immediate trial or release of all untried prisoners". Also in October, there is to be an Amnesty International campaign drawing attention to the situation of Indonesian political prisoners.

In the above-mentioned Buru campaign, Amnesty International groups with Indonesian cases publicized the prisoner issue in their localities. The National Sections and Coordination Groups expressed their views to officials at Indonesian Embassies, and told their national media about the Buru scheme.

In June 1977, Amnesty International groups were working on 294 adoption cases and 25 investigation cases in Indonesia. In addtion, there were three prison adoptions.

Japan

Towards the end of 1976, Amnesty International heard that a Japanese national, Masao Akahori, had been sentenced to death by Shizuoka District Court in 1958. He had been charged with the murder of a six-year-old girl in 1954. There was little evidence against him when he was indicted in 1954 and he pleaded not guilty during the trial in 1958. Several appeals against the sentence and calls for a review of the judgement were subsequently rejected. In 1977 the case was still pending, a fourth appeal for a retrial having been undertaken by Masao Akahori's lawyers. On 4 January 1977, Amnesty International cabled the Prime Minister of Japan, Takeo Fukuda, urging that the death sentence be commuted on humanitarian grounds pending a review of the case. In March 1977, the organization learned that Shizuoka District Court had rejected the appeal for retrial and again urged the Prime Minister to commute the death sentence on humanitarian grounds.

Kampuchea, (Democratic) [Cambodia]

In 1976-1977, Cambodian refugees arriving in Thailand continued to claim that summary executions and maltreatment were taking place in Democratic Kampuchea. The number of alleged executions, however, was fewer than during the preceding year. According to the *Far Eastern Economic Review* of 29 October 1976, "large-scale executions have apparently stopped, although sporadic killings continue".

During 1976-1977, foreign journalists were not allowed to visit the country, and the main sources of information remained refugees' reports and the official press and radio. In an interview published by the German magazine *Der Spiegel* in May 1977, the Foreign Minister of Kampuchea, Ieng Sary, denied that "hundreds of thousands of people" had been executed and added "we only condemn the worst criminals". However, the Government has not answered any of the particular allegations made in refugees' reports.

Most of the information available from refugees concerns the western provinces of Cambodia and little is known about other parts of the country. It is reported that isolated groups are still carrying out armed resistance in the western provinces and that some of the reported killings are due to this fighting. However, refugees describe various types of repression. They claim that many former administration officials were "taken away" by the authorities and either executed or never heard of again. They also allege that whoever opposes official policy subsequently disappears, and that there are camps in various places where people have to work under supervision, living on poor rations and receiving little or no medical care.

Amnesty International wrote to President Khieu Samphan on 28 February 1977, expressing concern about these reports and about allegations that in some areas civilians were threatened or maltreated by the local authorities. The organization asked about one report which claimed that 1,200 families had been collected together in a camp in the Phnom Thipadei area, east of Battambang city, because some of their members were accused of having committed various crimes. It urged the Government to comment on these allegations and to allow representatives of international organizations to visit Kampuchea.

The Government was also asked to explain what had happened to 26 people reported executed in November 1976. On 23 November, a group of 26 Cambodian refugees in Thailand were forcibly repatriated by the Thai authorities. The group came from a village in Battambang province, near the Thai border, and had fled the

country in October 1976. They were mostly farmers, but included five former soldiers and officials, also a child of 11. In early 1977, Amnesty International heard that the 26 refugees had been executed after their forcible return to Kampuchea. One report in particular alleged that the whole group had been executed after staying in Mongkolborey for three days.

The organization also made a separate appeal to the Prime Minister of Thailand urging that refugees should not be compelled to return to their country of origin when there was a possibility of reprisals.

As with previous inquiries made by Amnesty International to the Government of Democratic Kampuchea, the letter has remained unanswered. In May 1977, the organization stated its concern about the Government's lack of response to its past appeals and inquiries, and said it was particularly disquieted by the following allegations made by refugees:

- the reported disappearances of officials of the former administration and of others and allegations that some of those who have disappeared have either been executed or despatched to special work camps, either because of their position under the previous administration or because of their political beliefs,
- reports that in some areas relatives of those considered "traitors" or "enemies", or of those who have fled the country, have been maltreated or executed;
- reports that in some areas acts considered "disobedient" or hostile to the new authorities are likely to be punished at the discretion of the local authorities, without any apparent legal process or safeguards.

In May 1977, Amnesty International received the testimony of a refugee who had arrived in Thailand in March 1977 and had worked for nearly two years as an agricultural worker near Chhouk, in Kampot province. According to his report, four people had been executed in Prey Pen village at the beginning of 1977. Three, accused of having relations with "enemies" opposing the Government, were supposedly executed in January 1977. They were a former sailor from Ream called Chak Chea, a merchant called Tan Phok, and a former inspector from Kampot called Moul Sambok. The fourth person was an ex-soldier called Than. The report alleged that Mr Than had reprimanded his daughter, aged six, when she was singing a revolutionary song. For this he was arrested on the orders of the head of the village and executed. Amnesty International urged the Government to investigate this report and to publicize what had happened to the four people concerned.

Korea (Democratic People's Republic of)

Amnesty International has carefully monitored all available information from North Korea and can only report that it contains no detailed evidence whatsoever regarding arrests, trials and imprisonment in that country. Furthermore, there appears to be a complete censorship of news relating to human rights violations. Despite its efforts Amnesty International has not been able to trace any information, even positive, on the subject of such rights in North Korea.

Korea (The Republic of) [South Korea]

There are several hundred political prisoners in South Korea. The 70 Prisoners of Conscience adopted by Amnesty International come from varied backgrounds, but they have all been increasingly critical of the administration of President Park Chung-hee. In recent years, their criticism has been focussed on human rights and civil liberties issues. The men and women who have been subjected to arbitrary arrest and harassment by the Government include leaders and members of the South Korean Christian Churches, leaders and supporters of opposition political parties (including elected members of the National Assembly), students and university teachers, journalists, lawyers and trade unionists. Many of Amnesty International's adoptees were arbitrarily imprisoned under the provisions of Emergency Regulation Number 9, the latest in a series of special presidential decrees designed to ban all criticism of the President, his adminstration and the Constitution (the so-called "Yushin" or "Revitalizing" Constitution) by which he rules.

On 4 May 1976, the mass trial of the 18 men and women arrested in March 1976 in connection with the so-called "Myong-Dong Incident" began. Most of the defendants were arrested because they endorsed a public statement entitled the "Declaration for Democratic National Salvation" calling for the release of political prisoners and the restoration of basic liberties in South Korea. But they were indicted under Emergency Regulation Number 9 on charges of agitating to overthrow the Government.

The mass trial was adjourned several times after defence complaints that defence counsel were unable to interview their clients. On 25 May, relatives of the defendants complained to Amnesty International that the trial was being held in "an atmosphere of terrorism". They said that the authorities had illegally detained close friends of the defendants, restricted the number of seats in the courtroom by issuing admission tickets and prevented lawyers and relatives from

freely seeing the accused. At one point in the trial, defence lawyers walked out of the courtoom after the panel of three judges had refused to hear evidence from any of the 16 defence witnesses.

On 28 August, all 18 defendants were found guilty of violating Emergency Regulation Number 9 and were given heavy prison sentences. Former President Yun Po Sun, aged 79, Quaker leader Hahm Suk Hon, aged 75 and known as "the Gandhi of South Korea" and opposition presidential contender Kim Dae-jung, aged 51 and seriously ill with sciatica, were each sentenced to eight years' imprisonment to be followed by eight years' suspension of civil rights (including the right to vote or hold public office). National Assemblyman and former Foreign Minister Chung Il Hyung, aged 72, and his wife Dr Lee Tai Young, aged 61 and South Korea's first woman lawyer, were each sentenced to five years' imprisonment with suspension of civil rights. Under South Korean law, Chung Il Hyung also lost his seat in the National Assembly as a result of his conviction and his wife, Lee Tai Young, was disbarred from legal practice. The remaining 13 defendants, including Professor Lee Oo Chung, President of Korea Church Women United, and a number of Roman Catholic priests, Protestant ministers and university teachers, were given prison sentences ranging from two to eight years, with corresponding suspension of civil rights thereafter.

On 29 December 1976, the Seoul Appellate Court confirmed the convictions of all 18 defendants, but changed their prison sentences without explanation. Yun Po Sun and Kim Dae-jung each had their sentences reduced from eight to five years' imprisonment and Hahm Suk Hon similarly had his sentence reduced to five years. Besides other changes, sentences were suspended in four cases.

On 22 March 1977, the Supreme Court confirmed the Appellate Court rulings, and nine of the defendants, including Kim Dae-jung, are now serving their sentences. Although Yun Po Sun, Hahm Suk Hon and a number of others, who are elderly, have not been imprisoned following the Supreme Court verdicts, they could be removed to prison at any time. However, the nine defendants referred to, including Kim Dae-jung, have remained in prison continuously since their arrest in March 1976. It is reliably reported that they are held in solitary confinement and that they have recently been moved from Seoul to different provincial prisons, which means that it is even more difficult for their families and lawyers to visit them. Kim Dae-jung needs urgent medical treatment, which he is not receiving in prison.

When the Supreme Court verdict was handed down on 22 March, the demands made in the March 1976 "Declaration for Democratic

National Salvation" were reiterated by a number of prominent Koreans, including some who had been prosecuted for endorsing the original Declaration. The Government reacted with a wave of arrests in March and April. More than 100 people were arrested, including the wives and relatives of some of those imprisoned for endorsing the 1976 Declaration, Roman Catholic priests, Protestant ministers, journalists and students. Those arrested included Chong Kum Song, mother of the imprisoned poet and writer Kim Chi Ha; Kim Sang Hyon, former National Assemblyman of the opposition New Democratic Party; Lee Jik Hyong, Secretary of the Human Rights Committee of the Korean National Council of Churches, and his assistant Kim Kyong In; Park Chong Ryol, son of the Reverend Park Hyung Kyu (the Reverend Park is well known as an outspoken critic of the Government, who endorsed the reiterated demands of 22 March 1977) and Cho Chung Ha, wife of Park Hyung Kyu; Park Yong Gil, wife of the Reverend Moon Ik Hwan (the Reverend Moon is serving a five year prison sentence in connection with so-called "Myong-Dong Incident") and Moon Song Kun, son of the Reverend Moon; Kim Ok Shil, wife of the Reverend Kim Kwan Suk (Reverend Kim is Secretary General of the Korean National Council of Churches). The journalists arrested were former staff members of the prestigious daily newspaper, the *Dong-A Ilbo*, who had been dismissed from their jobs because of their outspoken reporting and as a result of the heavy pressure applied to the newspaper management by the Government.

In Amnesty International's opinion, all those arrested and imprisoned in 1976 and 1977 in connection with the demands made in the "Myong-Dong Declaration" and reiterated in subsequent declarations are undoubtedly Prisoners of Conscience. They have been subjected to arbitrary arrest and imprisonment for the peaceful expression of their political and other beliefs. In addition to activities undertaken by individual adoption groups, in November 1976 Amnesty International mounted an international campaign to try to secure the immediate and unconditional release of all those arrested and charged in March 1976. Following the arrest of the more than 100 people in March and April 1977, Amnesty International also made urgent appeals to the South Korean Government urging their immediate release. In response to reports that the imprisoned opposition presidential contender Kim Dae-jung had begun a hunger strike on 7 May 1977, demanding better conditions for himself and other political prisoners, the organization launched immediate appeals urging that, at least, Kim Dae-jung be given the medical treatment which he required, and further appealing for the prompt and unconditional release of all Prisoners of Conscience in South Korea.

In November 1976, Amnesty International mounted an international campaign for the release of the imprisoned poet and writer Kim Chi Ha. The trial of Kim Chi Ha, who had already been in solitary confinement for 14 months from the time of his re-arrest in March 1975 for allegedly violating the Anti-Communist Law, finally resumed on 18 May 1976. The prosecution sought to prove that his literary works were meant to instigate a revolution in South Korea, but Kim protested that the Government was trying to label him as a communist on the basis of notes on fictional characters for a book which he intended to write in the future. Kim told the panel of three judges that members of the Korean Central Intelligence Agency had forced him to sign a statement which was later distributed publicly by the Government in order to prove that he was a self-confessed communist. He has consistently maintained that he signed the statement under duress.

On 31 December 1976, the Seoul District Criminal Court found Kim guilty of breaking the Anti-Communist Law by supporting North Korean propaganda. He was sentenced to seven years' imprisonment. He has appealed against this sentence, but remains in solitary confinement in Seoul's West Gate Prison, where he is concurrently serving the 15-year prison sentence arbitrarily re-imposed by a military court in 1975. On 15 January 1977, he was permitted to see his wife, two-year-old son and mother for five minutes. This was their first meeting since March 1975. Amnesty International has continued to make strong appeals for his immediate release—he suffers from tuberculosis.

During the year, Amnesty International adopted 26 students who are typical of the numerous students (many from Seoul National University) arrested and imprisoned in South Korea because of their outspoken criticism of the Government. They had been arrested in 1975 in connection with peaceful demonstrations against Government policies. These demonstrations, which called for the repeal of the "Yushin" Constitution which invests President Park with unlimited powers, were organized by the students after a fellow student committed suicide in protest against the Government's policies. Student demonstrations of this sort are expressly forbidden by Emergency Regulation Number 9; and those arrested and convicted of breaking the decree were later given heavy prison sentences by the Seoul District Criminal Court—some were sentenced to up to 10 years' imprisonment. Amnesty International is still appealing for the immediate and unconditional release of these Prisoners of Conscience.

Adoption groups have gone on working for those prisoners convicted in 1975 because of their connection with the so-called "People's

Revolutionary Party" (eight of them were summarily executed in April 1975). Amnesty International is still working for the release of these prisoners, who were unjustly convicted and are serving long prison sentences. Some are in solitary confinement and need urgent medical attention, which they are not allowed to receive. The organization has urged the South Korean Government to release all these prisoners because of their unjust conviction in an unfair trial, in which torture was used to extract evidence and which involved other grave legal abuses.

During the year, Amnesty International made urgent appeals on behalf of Koreans sentenced to death by civilian courts in South Korea for alleged espionage. Many are Koreans normally resident in Japan who were arrested on charges of spying on behalf of North Korea while visiting relatives in South Korea. Amnesty International has requested a presidential act of clemency to reprieve the defendants sentenced to death. In addition, the organization has urged the South Korean authorities to grant retrials, which have been requested by many of the defendants' lawyers and families, who have asked the South Korean courts to consider evidence that the accused were in Japan at the time when the South Korean Government alleges they were in North Korea receiving espionage training.

Lao People's Democratic Republic

During the past year many civil-servants and officers of the former Vientiane administration have remained in "re-education" centers or camps in the Lao People's Democratic Republic. Only a few releases from such centers have been officially announced and no official figures are available of the total number of those still held. According to press reports, towards the end of 1976 about 6,000 members of the former administration were currently undergoing "re-education" in camps located in the north of the country, and tens of thousands of people were reportedly held in various centers throughout the country.

In February 1977, Amnesty International wrote to Prime Minister Kaysone Phonvihane, asking how many and what categories of former officials were being held for "re-education". It had been reported that some would have to stay in camps for 18 months and others as long as five years, depending on "their rank and their attitude". The letter mentioned earlier reports, according to which more than six hundred young people "rebellious to the new regime" had been arrested in April 1976 in Vientiane and sent to "re-education"

centers. Amnesty International expressed concern that civilians were held in these camps merely because of their position in the former administration or because of their beliefs, and asked what steps the Government was taking as regards their return to civilian life.

The organization also asked about the fate of a Thai student, Tirarat Sivaranon, and of two other Thai nationals said to have been arrested on 22 October 1975 by Laotian soldiers on charges of espionage. The three men were on a short authorized visit in the Suwannaket area and were reportedly arrested shortly after crossing the Thai-Lao border because Tirarat Sivaranon was taking photographs. His relatives, who are in Thailand, claim that they did not receive any official information about him for months, apart from the news of his transfer to an unnamed prison, and the fact that visits were not allowed. It was later alleged that he had died in prison in July 1976 because of emotional stress and the material conditions in which he was held. In June 1977, Amnesty International again urged the Government to conduct an inquiry into his case and into the conditions in the prison where he was held.

In March 1977, the arrest of the former King of Laos, Sri Savang Vatthana, and of members of his family was reported in connection with a pro-monarchist armed rebellion which took place in the city of Muong Nan. The ex-King and his relatives were accused of having inspired the rebellion and were sent to a "re-education" camp at Viengsay in the north of the country. However, no official evidence was given of their involvement. It was reported that after his abdication in December 1975, ex-King Vatthana was living in Luang Prabang, protected by an official guard day and night. Under the former coalition Government he had maintained a neutral position, saying he would agree to the coronation of his son only after the country was unified. Amnesty International wrote to Premier Phonvihane in June 1977, expressing grave concern about the arrests and urging that Mr Vatthana and his relatives be released immediately, or that the precise charges against them be made public and that they be tried and allowed a proper defence.

The organization also inquired about reports alleging harsh conditions in some "re-education" camps, particularly in the north at Phongsali, Samneua and Attapu, where detainees were said to have to undertake hard labour on an insufficient diet. Foreign journalists have been able to visit "re-education" centers on islands near the capital, Vientiane, whose inmates are said to be mainly drug-addicts, hooligans and prostitutes; but no foreign journalists have been allowed to visit the camps in the north and no official information is available about them.

Little information has reached Amnesty International about individual cases of Prisoners of Conscience during the period covered by this report. Three cases were investigated by the International Secretariat; one of the people concerned was later reported dead and another released. Other cases are at present being followed up with a view to adoption or investigation by Amnesty International groups.

Malaysia (Federation of)

The past year has seen a progressive erosion of many fundamental liberties and human rights in Malaysia. Several hundred men and women are still in detention, untried, for political reasons (many already having spent periods of eight years or more in prison without charge or trial, and some up to 13 years); arrests of political suspects have also continued. In 1976, prominent political figures were arrested, including former government ministers and members of opposition political parties. There has been a disturbing tendency to use public "confession" by political detainees to justify further arrests. These "confessions" have contained assertions and "admissions" about alleged subversive and pro-communist activities by political detainees. The Communist Party is illegal in Malaysia. Although such assertions have been widely publicized in the press and on national television, none of the detainees has been brought to trial and there has been no opportunity for any evidence to be tested in a court of law.

These arrests have been made in the context of legislative restrictions on human rights which were formerly guaranteed by the 1957 Malaysian Constitution. Article 5 of the 1957 Constitution, intended to safeguard individual liberty by providing, *inter alia,* for the right to *habeas corpus,* legal counsel and a hearing before a magistrate within 24 hours of arrest, has been amended. Under the 1976 Constitutional (Amendment) Act, the safeguards guaranteed under Article 5 are now denied to anyone "arrested or detained or placed under restricted residence under any law relating to the security of the Federation (of Malaysia), preventive detention, restricted residence, immigration or banishment". Since all political suspects in Malaysia are detained under security legislation, this amendment means that limitations on the arbitrary exercise of executive and police powers have gone and any right of judicial recourse that political suspects once had has now been abolished. This amendment to the Constitution has been made retroactive, that is, taking effect as from 1957; thus it legalises any past abuses of constitutional rights and freedoms.

Amnesty International groups pursued their work on behalf of some 70 political prisoners in Malaysia, including a number imprisoned indefinitely "awaiting deportation", whose citizenship had been removed by the Government for political reasons. Groups continue to urge the Malaysian Government to bring formal charges against political prisoners in a court of law, so that evidence against individuals can be tested in accordance with generally recognized legal norms, or, failing this, to order the prompt, unconditional release of detainees.

Among other prisoners, Amnesty International groups have made appeals on behalf of Lee Jik Kim, who has been detained without trial since July 1964, and Kong Hoi, formerly a member of the opposition Labour Party of Malaya (LPM), who has been detained since November 1964. Groups have also continued their work on behalf of Mak Siang, a former tin worker and trade unionist reportedly in poor health, who has been imprisoned without trial since November 1966, and Yeo Moung Peng, formerly secretary of a local branch of the LPM, who has been held since August 1968. These detainees are typical of many of Malaysia's political prisoners.

On 2 June 1976, Amnesty International wrote to Prime Minister Datuk Hussein Onn, appealing for an urgent review of the cases of a number of political detainees reported to be in poor health because of their long imprisonment without trial. Many of these are men detained under the Internal Security Act in the Batu Gajah Special Detention Camp in Perak State. The Batu Gajah camp is one of two major political detention camps in West Malaysia, the other being the Kamunting Detention Camp, also in Perak State. Altogether, the two camps hold several hundred political detainees, including an estimated 60 women in the Kamunting camp.

On 22 June 1976, two leading Malay journalists, Abdul Samad bin Ismail, Managing Editor of the English language *New Straits Times,* and Samani bin Mohamed Amin, News Editor of the Malay language *Berita Harian,* were arrested under the Internal Security Act for alleged communist subversion. Samad Ismail, Malaysia's leading political commentator in English and Malay language newspapers and a former close adviser to the Malaysian Government, also a well known literary figure, was arrested together with Samani Amin a few days after the arrest in neighbouring Singapore of the Editor and former Assistant Editor of *Berita Harian,* a separately published Singapore newspaper. Official statements appearing simultaneously in Singapore and Malaysia accused the arrested journalists of involvement in a plot to influence Malays in the area towards communism through manipulation of the Malay language press. The Singapore

editors made "confessions" on state-run television and in the Singapore press implicating Samad Ismail in the alleged plot.

After several months in detention, Samad Ismail appeared on national television in Malaysia on 1 September and "confessed" that he had furthered the cause of the illegal Communist Party of Malaya for much of his life. He is still in detention without trial.

Amnesty International does not accept the admissibility of "confessions" and believes that the obligation of proving an individual's guilt must rest with the Malaysian Government, in accordance with generally accepted legal norms. The organization has urged the Malaysian Government either to give Samad Ismail and Samani Amin a fair and open trial, or else to release them.

On 24 November 1976, Amnesty International wrote to the Prime Minister of Malaysia protesting against the arrest of six leading political figures. They included two deputy ministers arrested following their resignation on 2 November, Datuk Abdullah Ahmad, former Deputy Minister of Science, Technology and Environment, and Abdullah Majid, former Deputy Minister of Labour and Manpower. Also arrested were Chian Heng Kai, a Member of Parliament representing the opposition Democratic Action Party (DAP); Chan Kok Kai, Assistant Treasurer of the DAP; Tan Ken Sin, Executive Secretary of the Malaysia Chinese Association and Kassim Ahmad, Chairman of the opposition *Partai Sosialis Rakyat Malaya* (The People's Socialist Party of Malaya). A number of these political detainees subsequently made television "confessions" stating that they had promoted activities in support of the illegal Communist Party of Malaya. But no formal charges were brought and none of them was brought to trial. The six men are still in detention. Amnesty International has called for them to be given a fair trial or be released.

As abolition of the death penalty in all cases is one of Amnesty International's aims, the organization called on the Malaysian Government to reprieve everyone convicted and sentenced to death. On 23 December 1976, it cabled Minister of Law Tan Sri Kadir Yusof, urging him to consider exercising his power to recommend a reprieve in the case of Chai Yee Ken, sentenced to death by the High Court on 14 December after being found guilty of unlawful possession of firearms. A similar appeal was made on 15 January 1977 on behalf of Wong Swee Chin, who had been convicted of the same offence on 12 January. There has been a significant increase in the number of death sentences handed down by the Malaysian courts following amendments to the Dangerous Drugs Act and the Firearms Act in 1975. Trafficking in narcotics is now a capital offence. The death sentence is also applicable, and in some cases mandatory, for unlawful possession of firearms, as the above cases illustrate.

Nepal (Kingdom of)

In March 1977, the Home and *Panchayat* (local administration) Ministry announced that 57 people were held under the Security Act on the general charge of "indulging in activities hostile to the Panchayat System". Ten of these had been arrested since January 1977. There is no reason to doubt the accuracy of the Government's figure, but in addition an increasing number of political prisoners have been arrested under the provisions of the *Raj Kaj* Act: State (Offences and Punishment) Act—more, Amnesty International reckons, than under the Security Act.

Amnesty International has not yet received an official list of all those released in a series of amnesties announced since December 1975, but believes that most political prisoners who were detained for several years under the provisions of the Security Act and the *Raj Kaj* Act were released during 1976. Towards the end of January 1977, two members of the Amnesty International Nepal Section, Marshall Julum Sakya and Purusottam Basnet, were released from prolonged detention without trial under the Public Security Act. The former had been held since May 1973 and featured in Amnesty International's Prisoners of the Month Campaign in December 1976. Of the 34 prisoners for whom the organization was working in 1976, two are still in detention. One of them, Bhim Bahadur Tamang, was released after the maximum 18-month detention period had ended but was immediately re-arrested.

There were fresh arrests when former Nepali Prime Minister B.P. Koirala and former Minister Ganesh Man Singh returned to Nepal after eight years of self-imposed exile in India. Mr Koirala, a former leader of the banned Nepali Congress Party, was arrested with 3 others as soon as he returned to Kathmandu on 31 December 1976. Mr Koirala had previously been adopted by Amnesty International. Some 40 others, alleged sympathizers with the Nepali Congress Party, were arrested at about that time. Amnesty International is at present preparing to take up 30 of these cases.

On 6 January 1977, the organization cabled King Birendra, urging the early trial of Mr Koirala and the three other detainees by an ordinary court where all legal safeguards applied. The Ministry of Justice announced on 23 January 1977 that a one-member Special Tribunal had been set up to try Mr Koirala and others under the Treason (Crime and Punishment) Act. When unconfirmed reports were received that a trial *in camera* had already ended, Amnesty International wrote to the Home and *Panchayat* Affairs Minister on 27 April 1977 asking for clarification of the trial procedures. The organization also heard that Mr Koirala and Mr Singh, both in

Sundarijal Jail, had not been allowed visits from family or friends since their arrest. In his letter of 10 June 1977, Amnesty International's Secretary General expressed concern because, were these reports correct, then detention conditions would be contrary to the provisions for visits and correspondence set forth in the Nepal Jail Rules and the UN Standard Minimum Rules for the Treatment of Prisoners.

Before Mr Koirala returned from India on 5 December 1976, the Government declared an amnesty for 12 members of the Nepali Congress Party, among them a former minister who had been tried *in absentia* and sentenced to varying terms of imprisonment for anti-state activities.

A serious event during the year was when death sentences passed on two people convicted of treason under the State (Offence and Punishment) Act were confirmed by the Supreme Court (according to reports received in February 1977). They were passed on Yagya Bahadur Thapa, a former Nepalese Army Captain found guilty of promoting armed rebellion, and Bhim Narayan Shrestha, found guilty of an attempt to assassinate the King in 1974. On 9 December 1976 and 6 April 1977, Amnesty International wrote to King Birendra, stating its absolute rejection of the death penalty, and urging clemency for the two prisoners. As far as the organization knows, no death sentence has been carried out in Nepal for the past 14 years. To date, no news has reached Amnesty International that the men have been executed.

A former Foreign Minister, Rishikesh Shaha, was arrested on 1 May 1977 on charges of sedition. He was founding Chairman of the Nepal Section of Amnesty International. After spending a year on a fellowship in the United States, he returned home to Nepal in April. He had recently published a book and articles dealing with recent Nepali politics. Five other unnamed people were also reported to have been arrested on a charge of engaging in undesirable activities. Amnesty International cabled the Government on 5 May 1977, urging Mr Shaha's immediate release if no criminal charges had been brought against him. He was released on 7 August 1977.

Pakistan (Islamic Republic of)

On 5 July 1977, the army, headed by General Mohammad Zia-ul Haq, the Army Chief of Staff, seized power from the civilian Government, headed by Zulfikar Ali Bhutto, in a bloodless takeover. General

Haq imposed martial law and became the Chief Martial Law Administrator. The Prime Minister and leading members of his government and the Pakistan People's Party (PPP), as well as most of the opposition leaders of the Pakistan National Alliance (PNA) were taken into "protective custody". The Martial Law Proclamation suspended the Constitution, but the military administration declared in a martial law order that it would follow the Constitution as closely as possible. A four-member military council was appointed to administer the country until the new general elections, scheduled to be held on 6 and 8 October 1977. Political activities were banned.

The military takeover followed four months of widespread agitation in Pakistan about the manner in which the 7 March 1977 general elections had been conducted. This resulted in Mr Bhutto's Government announcing that new general elections would be held in October 1977. However, the Government and the Opposition had failed to reach accord on the terms of the agreement under which the new general elections were to be held. In the general elections of 7 March 1977, the ruling Pakistan People's Party was returned to power with a large majority. However, after the election results, there were numerous, widespread accusations by the nine-party Opposition coalition, the Pakistan National Alliance (PNA), that the elections had, to a large extent, been rigged. Opposition calls for fresh elections and the resignation of the Prime Minister were accompanied by large demonstrations in all the major cities, leading to the wholesale imprisonment of Opposition members for breaking emergency laws and defying a ban on processions. After announcing a large-scale civil disobedience movement in support of their demands, Opposition leaders were arrested and detained in late March—a move which affected the entire PNA leadership. The arrests were followed by more demonstrations, some resulting in violence. On 21 April 1977, the Bhutto Government declared martial law in three major cities—Karachi, Lahore and Hyderabad—and, at the time of writing (at the beginning of June 1977), at least 340 people, according to reliable reports, have been killed during processions or in confrontations between various political groups and the police and army.

Many thousands were arrested after the election results were published, the Opposition—at the beginning of June 1977—claimed that as many as 50,000 people had been arrested, although so far these reports have not been confirmed. Among those arrested were a few women, wives of Opposition leaders previously arrested. Amnesty International has also noted with great concern that, in the province of Punjab alone, 84 lawyers, presidents of provincial bar associations, have been detained during the campaign. Although full details about

the reasons for their imprisonment are not yet available, Amnesty International knows that Aamer Raza Khan, President of the Lahore High Court Bar Association, was arrested on 25 March 1977 after conveying a resolution to the Government protesting against the "curbs on civil liberties" and the "rigging of elections". The various bar associations in Karachi, Lahore and Multan have also passed resolutions calling for the revocation of constitutional amendments, the release of political prisoners and the repeal of laws providing for preventive detention. The President and Vice-President of the Karachi Bar Association are among the lawyers arrested for organizing meetings criticizing the imposition of martial law. If it is confirmed that any lawyers arrested for demanding the maintenance of constitutional guarantees and the rule of law in Pakistan are still being detained, Amnesty International will adopt them.

Martial law courts started functioning after the declaration of martial law and they have tried an unknown number of civilians. The courts are reported to have handed down heavy prison sentences. But, on 2 June 1977, the Lahore High Court ruled that the imposition of martial law had been unconstitutional and that the trial of civilians by martial law courts was illegal. On 8 June, the Government lifted martial law and, shortly afterwards, released the nine leaders of the Pakistan National Alliance who had been detained during the last three months. It also announced the release of political workers arrested for participating in demonstrations and, on 17 June 1977, said it had released "all but a few hundred" of the 13,000 persons it detained during the post-election campaign. The Opposition, however, claimed that 10,000 were still being held and Amnesty International is following closely the process of release of political workers arrested after the election results were announced.

However, many political prisoners arrested prior to the March events remain in jail and the details of some of the 16 adoption cases and 30 investigation cases taken up by Amnesty International are described in a report on Pakistan published by the organization on 16 May 1977. The report, based on the findings of a mission to Pakistan from 23 April to 12 May 1976 (the delegates were Professor Mümtaz Soysal of Turkey, constitutional lawyer and Vice-Chairman of the International Executive Committee, and Yvonne Terlingen, a Dutch lawyer from the International Secretariat), was presented to the Prime Minister of Pakistan on 31 March 1977, with a request for comments, and published on 16 May, no comments having been received.

On that date, Amnesty International appealed to the Pakistan Government to "review the cases of all members of the opposition, whether in detention, or on trial under special legislation, and to consider the early release, at least on bail, of all those against whom no charges under the ordinary procedure can be brought".

In the report, which reviews the pre-election period, Amnesty International expresses deep concern about the detention, trial procedures and treatment of government opponents in Pakistan. The report describes the serious erosion of fundamental rights in Pakistan reflected in the post-election events.

Amnesty International estimated that, before March 1977, there were already at least several thousand political prisoners in Pakistan, the vast majority held without trial. This estimate differs from the latest official figure of nine political prisoners quoted by Pakistan's Attorney General on 28 October 1976. Amnesty International points out that this number relates to only the very few political prisoners held in preventive detention for reasons of state security who have filed *habeas corpus* petititions. There are numerous political prisoners who are unable or forbidden to file such petitions. Many are detained throughout Pakistan, in particular in Baluchistan and the North West Frontier Province. The official figure does not take into account the many political prisoners tried by special tribunals and courts under special legislation but Amnesty International reckons there are about 1,000 of these.

The report describes various constitutional and legal changes made since the Emergency was declared on 23 November 1971. It pays particular attention to the Fourth and Fifth Constitutional Amendments, which have seriously curtailed the powers of Pakistan's higher judiciary: withdrawing their power to grant bail or interim orders to political prisoners on trial under the special provisions, or to issue writs of *habeas corpus* petitions under the ordinary Criminal Code procedure. The Fifth Constitutional Amendment also limits the independence of the judiciary; and the report says the Amendment has removed any conceivable judicial control of legislative and executive action which infringes human rights during the Emergency. It concludes: "Political prisoners are thus deprived of a fundamental safeguard against arbitrary imprisonment, namely the right to challenge in a court the constitutionality of laws, rules and orders pertaining to their arrest, detention and imprisonment".

The various ways in which lawyers have been intimidated are listed. These practices were subsequently borne out by the many arrests of lawyers protesting about curtailments of civil liberties after the elections. The important part played by members of the legal profession in safeguarding human rights in Pakistan is recorded.

Each year many people are detained under preventive detention

laws (particulars about those who are not well known rarely reach Amnesty International). Political prisoners have to wait months to be brought to court and then, if no evidence is produced, their cases may be dropped but they may be re-arrested under various new charges, often under the Defence of Pakistan Rules. Political prisoners are usually tried by special tribunals (which may sit *in camera* and conduct hearings in prison). Included in the report are descriptions of cases of Prisoners of Conscience taken up by Amnesty International after their trial by such tribunals on charges which often appear to amount to no more than exercising the right of free speech and expression; it describes the procedures of the special courts, set up under the Suppression of Terrorist Activities (Special Courts) Act 1975, to try those suspected of sabotage and violence. The burden of proof has been changed: defendants' normal rights, such as bail and appeal, have been abridged. All this constitutes a serious deviation from the legal safeguards of ordinary law.

Particular attention is given to the trial of the leaders of the former National Awami Party (NAP). Among the accused are five Members of Parliament, including party leader Abdul Wali Khan and five members of the Senate. The 55 accused, charged with conspiracy, have been on trial for more than a year by a special court sitting inside Hyderabad Central Jail. According to the latest press reports received at the time of writing (beginning of June 1977), the trial cannot proceed because of the "absence of senior defence counsel". The leading defence counsel in the case was prevented from appearing as he himself was in preventive detention, after having taken part in Opposition demonstrations.

The trial followed a Government declaration of 10 February 1975 dissolving the NAP, which was upheld in October 1975 by the Supreme Court of Pakistan in the "Reference Case No 1 of 1975". It is Amnesty International's opinion that the rules of evidence used did not strictly conform with the formal procedure normally applicable. The evidence received by the Supreme Court did not "invariably point to the NAP acting in a manner contrary to the security and integrity of Pakistan", as was claimed.

One of the Amnesty International mission delegates attended the conspiracy trial in Hyderabad, on 10 May 1976. In Amnesty International's view the NAP members' trial inside Hyderabad Jail was held in "far from satisfactory" circumstances. Amnesty International expressed concern because the Supreme Court's findings as regards the party as a whole could be used as evidence against the individual Opposition leaders on trial. The report argues that, to ensure a fair trial, the Government should have ordered that individual NAP leaders be brought to court before making an order dissolving the

party, confiscating its property and referring the case to the Supreme Court of Pakistan. The trial should have been conducted in open court, in accordance with normal penal law.

During the mission, Amnesty International's delegates were handed signed statements by seven people charged by special courts (most of them charged under the Explosive Substances Act), alleging ill-treatment after arrest. The allegations include severe beatings and threats of execution. According to the mission report, they "appear to reveal a pattern of police intimidation in order to extract 'confessions' from suspects after arrest". Similar allegations reached Amnesty International after the mission left Pakistan.

Amnesty International made several recommendations that the Government consider immediately abolishing the special trial procedures applied to political prisoners; restoring full constitutional powers to the higher judiciary (as formerly existed under the amended Articles 179, 180, 192 and 195 of the Constitution) and repealing all provisions for preventive detention. Other recommendations, along lines of the United Nations Declaration on Torture, include the establishing of legal safeguards to prevent the ill-treatment of political prisoners after arrest.

Amnesty International noted with concern the cases of three former members of the Pakistan People's Party, two of them members of the Punjab Provincial Assembly, who have been reported missing since October 1975, but whom Amnesty International believes are detained in Dalai Camp, Muzzafarabad, Azad Kashmir. They were among 33 political prisoners later released from detention in that camp. Amnesty International calls on the Government to institute a full-scale public inquiry into well-substantiated reports that politicians and their families have been harassed and that politicians have disappeared.

Amnesty International's disturbing account of the tendency to curtail the powers of the higher judiciary in cases where the protection of fundamental rights is at stake, was borne out when the National Assembly and the Senate passed the Seventh Constitutional Amendment on 16 May 1977. This made constitutional provisions for a referendum but also removed all power from Pakistan's High Courts to rule on the legality of any action taken by the authorities in areas where martial law applies. Moreover, the Amendment retroactively cancels any court action challenging the imposition of martial law (a case like this was being heard in the Sind High Court). The President of the Lahore High Court Bar Association has said that this latest Amendment "altered the very basic structure of the constitution". And, in its judgement of 2 June 1977, the Lahore High Court ruled that the Seventh Constitutional Amendment,

taking away the powers from the High Court, referred to above, was invalid.

During the past year, many Amnesty International members have appealed to the Government to release Abdul Gaffar Khan and Mirza Jawad Baig, both Prisoners of Conscience who featured in a Prisoners of the Month Campaign. They were released in the course of the year. Mr Baig was released pending appeal on 15 September 1976 by order of the Supreme Court of Pakistan. He had been serving a 12-year prison sentence for advocating a form of metropolitan government for Karachi.

The Philippines (Republic of)

Political imprisonment in The Philippines still takes the form of detention without trial. Torture is frequently used during interrogation of suspects.

In mid-1977, declarations made by President Ferdinand E. Marcos suggested that The Philippines Government was adopting some of the recommendations made by an Amnesty International mission and submitted to the Government in May 1976.

The delegates, Thomas C. Jones and Huang Wen-hsien, went to Manila in November-December 1975. They discussed questions relating to imprisonment under martial law with President Marcos and leading officials, also interviewed 107 prisoners held without trial in detention centers in Luzon. Through the interviews, the mission learnt that torture was widely used during interrogation, especially in the period immediately following arrest when prisoners were taken to secret interrogation centers called "safe houses". Prisoners' families were not told about their arrests for quite a long time and the prisoners had extremely restricted access to their lawyers. In a number of cases, they were held secretly for very long periods: one such case reported by the mission was that of Ninita Evangelista-Luneta and her child, who have been "missing" for two years since her arrest on 30 June 1975. Another case was that of Eugenio Flores, also arrested on 30 June 1975, and, according to eyewitness accounts, tortured by the 5th Constabulary Security Unit (5CSU). He is still "missing".

Accounts of torture recorded by the Amnesty International mission included prolonged punching, kicks and karate blows, beatings with a variety of contusive instruments—including rifle butts, heavy wooden clubs and glass bottles—pounding of heads against walls or furniture, burning of genitals and pubic hair, *falanga* (beating of the soles of the

feet) and the so-called "lying-on air" torture (in which the victims were forced to stay suspended between two beds, being beaten and kicked when their bodies sagged or fell). Some prisoners were treated with extreme brutality, being subjected to electric shocks on the genitals and vicious beatings. The mission's general conclusion was that The Philippines martial law officers used torture in order to intimidate.

The mission made 15 detailed recommendations, which were submitted to the Government in May 1976 as part of the mission report. The Government informed Amnesty International on 5 August 1976 that they would send detailed comments on the mission report for publication. Because the Government required at least 60 days from 5 August to prepare the detailed comments, it was agreed with the Solicitor General of The Philippines, Mr Estelito P. Mendoza, that Amnesty International might publish the report beforehand, and this was done in September 1976. Subsequently, the Government's revised comments were received on 25 October 1976. They were incorporated in the 2nd edition of the *Report of an Amnesty International Mission to The Philippines*, which was published in March 1977.

The Government's comments, signed by the Solicitor General, were severely critical of the report. The main criticisms were that the mission had interviewed an inadequate sample of political detainees, that the detainees interviewed were extreme subversives who gave fabricated and false accounts of torture, that, as a consequence of this and other errors, the delegates reached general conclusions which were based on partial, incorrect evidence and that therefore the conclusions were invalid.

In the Preface to the 2nd edition, Amnesty International affirmed the general conclusion—based on all available evidence, including statements by President Marcos—that torture was widely inflicted on political prisoners in The Philippines, and that despite Government leaders' declarations that they strongly disapproved of the use of torture, nonetheless it has been and still is inflicted. Amnesty International reiterated that the practice of torture could only be eradicated if there were effective procedures and disciplinary measures to prevent the possibility of prisoners being maltreated and to deter those using brutal interrogation methods. The Government was again urged to implement the mission's 15 recommendations on reducing the incidence of torture.

There are indications that The Philippines Government may have accepted some of the 15 recommendations. It was not clear for some time how the Government viewed them. The first Government reac-

tion to the report was received on 5 August 1976 and the final version of the Government's comments was received on 25 October 1976. In September 1976, four members of the armed forces, three of whom were identified in the mission report, were charged with having tortured prisoners; but on 23 October their trial was postponed indefinitely. Meanwhile, President Marcos had said that he had ordered all prisoners with cases pending before a military tribunal to be brought to trial by the first week of August 1976. According to further reports, President Marcos said he had ordered the speeding up of trials after receiving the Amnesty International mission report. It was not until 19 June 1977 that it was reported from Manila that President Marcos had instructed the army to hand over to civilian courts all prisoners detained without trial under martial law. He also announced that the military tribunals would be phased out; and it was further reported that the Solicitor General was drawing up the procedure for transfer of prisoners to civilian courts.

Although these declarations have yet to be implemented, they amount to partial acceptance of the mission's 15 recommendations; but as the newly-announced Government measures go no further than this, they fail to prevent violations of human rights or to abolish torture entirely. Amnesty International recommendations yet to be implemented include the abolition of "safe houses", the release of political prisoners on bail pending trial and the restoration of *habeas corpus*.

There have been recent Government statements about the number of political prisoners held under martial law. In an interview with *New York Times* correspondent Henry Kamm on 18 February 1977, Secretary of National Defense Juan Ponce Enrile said that 1,441 people were detained in The Philippines for what we called "crimes against national security". Mr Kamm reported: "During the course of an interview at the Secretary's office, Mr Enrile himself guessed at 'a little less than 200' until an aide going to official records brought him the number more than seven times as high". But President Marcos said in a speech to the Foreign Correspondents' Association in Manila on 3 June 1977 that only 598 such prisoners were being held. Although there is a continuing pattern of arrest and release, Amnesty International estimates that there are at least 2,000 political prisoners held on suspicion of subversion.

The Secretary of National Defense was asked in an interview by a BBC correspondent (*Everyman* program, 15 May 1977) what was meant by "subversion". He replied: "Anybody who goes against the Government or who tries to convince the people to go against the Government, that is subversion."

One of the Amnesty International mission's conclusions (no.3) was:

> "None of the prisoners interviewed had been convicted, although trial proceedings have begun for some of them. The mission asked the Judge Advocate General for transcripts of all proceedings against political offenders which had been concluded in the period of martial law since September 1972. None was made available to the mission. From this and other evidence, it appears probable to Amnesty International that not a single political prisoner detained under martial law had a trial which had been concluded."

This was the basis for the Amnesty International recommendation that all the prisoners listed in the report should be released immediately on bail, pending trial (to date, more than 60 of the 107 prisoners interviewed have been released). The mission's conclusion was confirmed when the Defense Secretary disclosed in his interview with the *New York Times* of 18 February 1977 that "none of these [subversion] cases have been brought to judicial conclusion and that he could remember no convictions or acquittals in the nearly 4½ years of martial law".

The Government continues to arrest people on suspicion of subversion and, although many are released after a short period of imprisonment, others are held without charge or trial. Reports of torture are still received. Families are unable to trace the whereabouts of arrested relatives.

From November 1976 to May 1977, Amnesty International conducted a seven-month international campaign to draw attention to human rights violations in The Philippines and 205 investigation and adoption cases were taken up. Now, following releases, 90 cases are being handled.

Singapore (Republic of)

The past year, during which Amnesty International groups have continued to work on behalf of more than 40 political prisoners in Singapore, has been marked by a series of Singapore Government actions involving serious violations of human rights. Arrests of political suspects have continued—of men and women whom the Government says are members or sympathizers of some branch or supporting organization of the illegal Communist Party of Malaya. But no formal charges have been brought against them and there is no chance of testing the Government's allegations in a court of law.

Such people can be imprisoned indefinitely without charge or trial by Government order made under the Internal Security Act. Those arrested in 1976-1977 include people who have been outspoken in their criticism of the Singapore Government.

Former political detainees, some of whom spent up to 10 years in prison without trial in the 1960s, have been arbitrarily re-arrested and once again face indefinite detention without trial. At least one political detainee's wife has been arrested, apparently partly in order to try to induce her husband to make a "confession" and political recantation.

During the year there has been a proliferation of such "confessions" by political detainees on state-run Singapore television and in the government-supervised press. These "confessions", which are required from most detainees as a pre-condition for release, include statements relating to supposed illegal and subversive activities which are not tested in open court according to generally accepted legal practice. The "confessions" often implicate detainees' friends and associates, and are used by the Singapore Government as a pretext to arrest these people. There is growing concern, both within Singapore and abroad, about the increasing use of the public "confession" as a justification for arresting and imprisoning people without following normal judicial procedure. Concern deepens with the increasing number of reports by ex-detainees and detainees' families that political detainees are subjected to immense pressure by Singapore's Internal Security Department to get them to "confess" to communist or pro-communist activities or sympathies. Amnesty International has not been in a position to investigate these allegations, but noted in its Briefing Paper on Singapore (published in February 1976) that there has been a pattern of consistent accusations of ill-treatment by ex-detainees and detainees' families. In particular, it is consistently alleged that political suspects are stripped and doused with cold water during interrogation in extremely cold air-conditioned rooms.

Three men have already spent more than 14 years in detention without trial. They appear to have no prospect of release except by making public "confessions" to crimes which have never been defined in formal charges and which they vigorously deny having committed. All are Amnesty International adoptees. Another adopted detainee, Lee Tze Tong, a former Opposition Member of Parliament has already spent more than 13 years in detention without trial. He has been deprived of his citizenship by the Government, which means he can be imprisoned indefinitely "awaiting deportation to the country of his choice". He has refused deportation to the People's Republic of China, where he would be permanently separated from

his family, and consequently is still in prison with no prospect of release. Other political prisoners have been detained without trial for periods of 10 years or more; some also having been deprived of their citizenship for political reasons. Political suspects are still being arrested. Not all these arrests are publicly announced by the Government, nor are the families of those arrested always informed.

In an interview with *The Times* of London on 25 May 1977, the Prime Minister of Singapore, Lee Kuan Yew, said that 61 men and women were detained without trial under the Internal Security Act. However, this figure does not include at least six political prisoners who have been deprived of their citizenship by government order and who are imprisoned "awaiting deportation" under the Banishment Act. Nor does the figure take into account people who have been detained initially for questioning, who may later be served with formal detention orders permitting their indefinite imprisonment. There are an unknown number of people in this latter category whose arrest has not been announced publicly by the Government. All this indicates that at any one time more people are detained for political reasons than 61 as claimed by the Prime Minister.

Over the past year, Amnesty International groups have continued to appeal for the immediate, unconditional release of poet and journalist Said Zahari, Dr Lim Hock Siew and former trade unionist Ho Piao, all of whom have been detained without trial since February 1963.

Groups have also appealed on behalf of those arrested during the year in connection with international protests against the Singapore Government's policy of detaining political suspects without trial. In May 1976, the Singapore Government announced that 50 men and women, whom it stated were communist suspects, had been arrested since January of that year. This announcement coincided with a "confession" of involvement in alleged underground communist activities made on state-run Singapore television by Madam Goh Lay Kuan, a 36-year-old classical ballet teacher. The "confession" by Madam Goh was used by the Singapore Government to support its assertion that there is a dangerous communist presence in Singapore. The announcement of the arrests was made a few days before the Socialist International (to which Singapore's ruling People's Action Party [PAP] belongs) met in London to discuss accusations from other member parties that Singapore was violating human rights and civil liberties by detaining political prisoners without trial. The PAP withdrew from the Socialist International after the Dutch Labour Party had refused to retract its demand for the expulsion of the Singapore party.

The withdrawal of the PAP from the Socialist International was immediately followed by the beginning of a further series of arrests in Singapore. Among those detained was Dr Poh Soo Kai, a medical practitioner and former Assistant Secretary General of the *Barisan Sosialis* (Socialist Front) opposition party. Dr Poh had been detained without trial for 10 years from 1963 until 1973, during which time he was adopted by Amnesty International as a Prisoner of Conscience. Following his release in December 1973, he returned to medical practice. He also continued his outspoken criticism of the Singapore Government for restricting the rule of law and detaining political prisoners without trial. Dr Poh was arbitrarily re-arrested under the Internal Security Act in June 1976, a few days after the PAP's withdrawal from the Socialist International. He was subjected to such continuous interrogation by the Internal Security Department that he was reported to be in a state of exhaustion. The Singapore Government now says that from the time he was released in 1973 Dr Poh had been "directing activities from behind the scenes to get hard core detainees released and to establish a new (communist) united front group". The Government also claims that he advised "student agitators", and that he gave medicines to a communist activist allegedly injured by his own bomb while trying to assassinate a local factory manager. The second allegation is based on a former political detainee's "confession". It has been given full publicity in the Government controlled press, but has never been examined in a fair, open trial conducted according to generally accepted legal practice. This is because no formal charges have been brought by the Government and, like all Singapore's political prisoners, Dr Poh is denied any recourse to the courts. He remains in detention untried.

Dr Poh's wife Grace was arrested early in March 1977. Her arrest was not publicly announced by the Government. One apparent reason for it was to get her to persuade her husband to make a "confession" and political recantation. Amnesty International has urged that she be immediately and unconditionally released.

Arrests of political suspects went on throughout the year. Those arrested included an Opposition parliamentary candidate, Shamsuddin Tung (detained under the Internal Security Act the day after the December 1976 general elections), five leaders of the Singapore Polytechnic Students' Union, journalists, construction and factory workers, national servicemen and others. They were accused by the Government of subversion and supporting the illegal Communist Party of Malaya. None was brought to trial.

In February 1977, the Government announced the arrest of 10 people under the Internal Security Act. Most of them were former

political detainees who had spent many years in detention without trial in the 1960s. One of the arrested, Mr G. Raman, is well-known as one of the few Singapore lawyers willing to defend political prisoners. He had also been an outspoken critic of the Government, particularly on the subject of detention without trial. He is still, at the time of writing, in detention without having been tried.

The Singapore Government said the February 1977 arrests were linked directly with the international criticism of the People's Action Party at the Socialist International in May 1976. The Government claimed that Mr Raman and a "group" of associates were the source of "distorted" information about Singapore which was used by "Euro-Communists" aiming to discredit the PAP and justify its expulsion from the Socialist International.

Within a few days of his arrest, Mr Raman made a written "confession", which was given wide publicity in the government controlled press, in which he implicated many of those arrested with him. Among other things, he stated that his "group" had supplied "distorted" information to communists in Western Europe because they wished international pressure to be brought to bear on the Singapore Government to force it to release "hard core communist detainees" in time to contest Singapore's general elections in December 1976. Mr Raman's handwritten "confessions" were followed by a televised "confession" relayed on 12 March at a press conference called by the Government at which Mr Raman appeared together with Arun Senkuttuvan, Singapore correspondent of the London *Financial Times* and *The Economist* and former correspondent of the *Far Eastern Economic Review,* who had been arrested on 15 February. In his "confession", Arun Senkuttuvan, among other things, implicated the editor of the *Far Eastern Economic Review* in what he described as an intricate plot, involving confidential tape-recordings, which was allegedly designed to damage relations between Singapore and its neighbour, Malaysia. Arun Senkuttuvan said that he was not a communist himself, but implied that such a plot was designed to assist communist attempts to undermine the Singapore Government. His allegations were denied by the *Far Eastern Economic Review,* but no formal charges were brought and no evidence could be tested in a court of law. Arun Senkuttuvan has since been released from detention, although his citizenship has been annulled by the Singapore Government.

A number of other detainees arrested in February also made "confessions", which the Government has used to support its repeated assertions that Singapore is in grave danger from communist subversion. However, informed observers point out that none of these

"confessions", including those of Mr Raman and Arun Senkuttuvan, contained any concrete evidence of a "communist conspiracy", particularly as no evidence had been presented in court. For example, two of those in detention, Michael Fernandez and Ong Bock Chuan, mentioned in their "confessions" the proposed activities of a Human Rights Committee in Singapore. Mr Raman had also referred to this proposed committee in his "confession". According to their "confessions", the committee was to appear to be a civil liberties group opposed to detention without trial and other arbitrary restrictions of freedom. But, according to the three men, the real purpose of the committee was to discredit the Singapore Government and force it to release "hard core communist detainees", thus assisting the activities of the "communist united front" in Singapore. Two men named in these "confessions" as being connected with the proposed Human Rights Committee, Dr Gwee Ah Leng and Father Patrick Goh, later refuted the allegations and stressed their belief in the legitimacy of Singapore citizens being concerned about safeguarding human rights and civil liberties.

Amnesty International questions the admissibility of "confessions", particularly in view of the consistent allegations that great pressure is brought to bear on political suspects to get them to admit they are involved in communist or pro-communist activities. Amnesty International believes that the responsibility for proving any guilt of an individual lies with the Singapore Government, in accordance with generally accepted legal practice. Amnesty International groups have continued to urge the Singapore Government to bring all political detainees to trial or to release them immediately and unconditionally.

On 17 May 1977, Prime Minister of Singapore, Lee Kuan Yew, instructed Singapore's Ambassador to the UN to sign the international petition calling for the release of all Prisoners of Conscience drawn up by Amnesty International as one of its initiatives for the 1977 Prisoner of Conscience Year and the organization has welcomed the Prime Minister's support. Amnesty International groups, however, are still urging the Singapore Government to release all Prisoners of Conscience who are held without trial in Singapore, including those who have already spent more than 14 years in prison without trial.

As the organization opposes the death penalty in all cases, it has made appeals during the past year on behalf of people sentenced to death in Singapore for criminal offences. On 14 July 1976, it cabled President of Singapore Dr Benjamin Henry Sheares appealing to him on humanitarian grounds to reprieve Teo Hock Seng, a stevedore from Malaysia convicted of drug trafficking. (Drug trafficking was

added to the list of capital offences by an amendment to the Misuse of Drugs Act in 1975.)

Sri Lanka (Republic of)

A major development took place in Sri Lanka when the State of Emergency, in force since 1971, lapsed on 16 February 1977 and political prisoners, detained under emergency regulations and the Public Security Ordinance, were released.

Amnesty International had been concerned for a long time about the many political prisoners held under the Emergency (Miscellaneous Provisions and Powers) Regulations, which permit wide powers of arrest and indefinite detention without trial. These powers were criticized in an Amnesty International mission report on Sri Lanka (see *The Amnesty International Report 1975-1976*). But during 1976-1977, the Government took a number of important steps towards implementing the report's main recommendations and Amnesty International has expressed its appreciation of this to the Government on a number of occasions.

In November 1976, several emergency regulations were allowed to lapse, including the power laid down in Articles 19(c) and 20(2) of Emergency Regulation Number 12 of 1974 to keep people in police custody for a period of 15 days without judicial control. Before this, with effect from 1 October 1976, the Government also decided to lift a number of restrictions on freedom of speech, movement and association. These restrictions had been imposed on most of the approximately 18,000 people—alleged to be members of, or sympathizers with, the *Janatha Vimukhti Peramuna* (JVP)—arrested after the insurrection. Amnesty International had asked in its report that these restrictions be removed. On 14 October 1976, the Ministry of Justice informed the organization that all of them (they had applied to 11,500 released people) had been revoked by the Prime Minister.

As regards the trial of alleged insurgents by the Criminal Justice Commission (see *The Amnesty International Report 1975-1976*), the Ministry of Justice wrote to inform Amnesty International that eight of the accused were still to appear before the Commission. (At the end of January 1975, when the Amnesty International mission visited Sri Lanka, the cases of 391 prisoners were still pending.) The total number of accused who had been charged by October 1976 was 3,872, of whom 2,919 had appeared before the Criminal Justice Commission (the difference being due to releases by the

Ministry of Justice and defendants not appearing because they had absconded). Of these, 2,536 had pleaded guilty and 374 of them were sentenced to terms of imprisonment ranging from two years' to life imprisonment (imposed in five cases). Ninety-two of the accused, according to the government statistics, were acquitted and 2,521 were released on suspended sentences.

In its December 1976 reprint of the *Report of an Amnesty International Mission to Sri Lanka,* the organization reviewed the positive steps taken so far by the Government. While noting that the Criminal Justice Commission had released numerous political prisoners appearing before it, Amnesty International reiterated its regret that the Criminal Justice Commission had been set up as a means of trying political prisoners and that the Criminal Justice Commission Act had not been repealed. This and the prevention of police brutality, particularly when prisoners are in police custody, were the subjects of special appeals to the Sri Lanka Government from Amnesty International members after the updated version of the report was published.

Amnesty International realizes that, despite the release of political prisoners since the ending of the Emergency, some of them, members of left-wing groups, may still be held under various other laws. Opposition sources claimed in May 1977 that some 2,000 political prisoners, members of different left-wing groups, including those sentenced by the Criminal Justice Commission, were still in prison. Amnesty International has so far not received any evidence confirming this, and estimates that between 200 and 300 political prisoners are held, the vast majority of them serving sentences handed down by the Criminal Justice Commission.

Members of the Tamil minority were also detained under the Emergency provisions when in 1972 their demands for greater autonomy grew stronger. The last of these, 19 Tamil prisoners whose cases had been taken up by Amnesty International, were released in February 1977 when the Emergency was ended; earlier, at the end of July 1976, 14 prisoners had been released; the cases of eight of them had been taken up by Amnesty International. However, in August 1976, the organization heard that seven Tamil detainees, who had given notice that they would go on hunger-strike until they were released or brought to trial, had been removed from Welikada Prison, Colombo, and were being held under unsatisfactory conditions. On 18 August 1976, Amnesty International asked the Government about reports that some prisoners had been ill-treated, and urged it to let them make contact with their families immediately and to provide full medical facilities to those on hunger-strike.

Four Tamil members of the Sri Lanka Parliament went on trial on

12 July 1976 for distributing a leaflet calling for a separate Tamil state. They were charged under the Emergency (Prevention of Subversion) Regulations for possessing and distributing a document issued by the Tamil United Front without police permission and were to be brought before a three-member court without a jury. On 5 July, Amnesty International had appealed to the Prime Minister for their release; but, on 11 September, the High Court ruled Emergency Regulation 59, of May 1976 (under which the court had been set up) invalid; the trial, therefore, could not proceed. One of the accused was released and the cases against the three others left pending. In December, the Supreme Court overruled this decision, declaring that the State of Emergency and regulations made under it were legal. It ordered a re-trial. Shortly afterwards, however, the Government dropped the case against the four.

During the year, seven other Tamils were charged with complicity in the murder of the Mayor of Jaffna in 1975. On 17 February 1977, Amnesty International appealed to the Government to order that these prisoners be tried in an ordinary criminal court, especially since the Emergency (under the provisions of which the court had been set up) had ended. After a writ had been filed in the Supreme Court, challenging the jurisdiction of the court trying the seven Tamils, the Attorney General on 12 May withdrew the case. However, charges were immediately brought against the accused under the ordinary procedures. On 27 May, the High Court of Jaffna released all seven on bail, after ruling that their arrest had been illegal. The accused were told that six of them were charged with murder and the seventh with robbery. Their trial will now take place in the High Court, under ordinary procedures.

On 22 May 1977, to mark the fifth anniversary of the Republic, President Gopallawa granted an act of clemency to 144 men and six women, commuting their death sentences to life imprisonment. In its report, Amnesty International had appealed for the abolition of the death penalty and the Secretary General cabled the President on 23 May 1977, congratulating the Government on its decision.

Taiwan (Republic of China)

In October 1976, Amnesty International published a Briefing Paper on Taiwan (Republic of China). It expressed the organization's concern about the human rights situation in Taiwan and said that several hundred people suspected of opposing the Government were currently detained after trials *in camera* by military courts. It also

said that there had been continuous intimidation of potential opposition to the Nationalist Government and arrests of political dissidents in Taiwan since a State of Siege was declared in 1949, in spite of a partial amnesty of prisoners announced after the death of President Chiang Kai-shek in April 1975, which became effective in July of the same year.

The Briefing Paper outlined the following issues as being of particular concern to Amnesty International: the arrest and detention of suspected political opponents on charges of sedition under laws drawn up after the State of Siege was declared; the permanent suspension under these laws of the civil rights provisions of the 1946 Constitution; the conducting of trials and appeal reviews by military tribunals without adequate legal safeguards; the use of torture in some instances during interrogation; the use of the death penalty as punishment for certain criminal and political offences.

Amnesty International also criticized the holding of political detainees *incommunicado* for long periods before bringing them to trial. It said that some prisoners claimed during their trials that confessions had been extracted from them by force during interrogation and that frequently the confession was the sole evidence for conviction.

The Briefing Paper described typical prison conditions and listed prisons known to be used mainly for political prisoners. Long term prisoners are generally held in Green Island New Life Camp, an isolated prison on an island off the southeast coast of Taiwan.

In July 1975, there was a commutation of sentences by which they were generally reduced by one third (see *Amnesty International Report 1975-1976*). In July 1976, on the anniversary of the commutation, Amnesty International wrote to the Government welcoming releases of prisoners under the Commutation Act and the reductions of sentences. At the same time, it submitted a list of cases in which the effect of the commutation remained unclear: some of the prisoners appeared to have the same sentence as originally. One of them, Hsu Hsi-tu, was said to have had his trial suspended because of mental disability, but it was not stated whether he was receiving treatment for this or whether he was still in prison. In December 1976 it was reported that Mr Hsu was in hospital, although there was no indication whether it was a military or a civilian one.

In July 1976, Amnesty International inquired about the case of Kuo Yi-tung, a famous writer, with the pen-name of Po Yang, due for release in March 1976. He had been sentenced to 12 years' imprisonment in 1969 and his sentence had been reduced under the Commutation Act. It was reported, however, that he had been prevented

from leaving Green Island prison camp after March 1976 and was still working there.

Amnesty International received reports of the release of several prisoners towards the end of 1976. Among them was Lee Ao, a popular satirical writer and journalist, arrested in 1971 and sentenced by a secret military tribunal to 10 years' imprisonment because of his connections with the Taiwan Independence Movement. His sentence had been reduced in September 1975 after a retrial and he was reported released in December 1976. Wei T'ing-ch'ao, imprisoned twice for activities in the Independence Movement, and Su Tung-chi, a former Yunlin Councillor, were also released. Two journalists were said to have been released in May 1976 after their sentences had been reduced under the 1975 Commutation Act. They were Lu Shih-kun and Yao Yung-lai who had been arrested in 1967 on charges of sedition. These had all been Amnesty International adoption or investigation cases.

In December 1976, Prime Minister Chiang Ching-kuo announced the country's determination to "implement constitutional rule and safeguards for human rights" during an address to the National Assembly on Constitutional Day. He stated that Taiwan was "a democratic country governed by law in which the protection of human rights is a basic requirement" and that it "must proceed in accordance with legal processes involving fair trials and thorough-going investigation". According to the Prime Minister, 254 people convicted of sedition since 1949 are still serving prison sentences. Of these, 95 were convicted after 1974, including 33 convicted in 1976. While Amnesty International welcomes this announcement, it is concerned that arrests on charges of "sedition" and trials of political offenders by military tribunals have continued without full legal safeguards.

Several cases of prisoners arrested in 1976 were taken up by the organization for adoption or investigation. One was that of Huang Hua, a former Amnesty International adoptee, who was re-arrested on 26 July 1976, a year after his release. He was sentenced to 10 years' imprisonment on 8 October 1976 on charges of involvement in "seditious activities". The tribunal ruled that he had used the *Taiwan Political Review* to "propagate rebellious thoughts" and that he had attempted to "instigate an armed rebellion" after the magazine was banned in December 1975. Huang was previously imprisoned in 1967 for alleged seditious activities in connection with the "Society for Promoting Unity of Taiwanese Youth". After his release in July 1975, he contributed articles to the *Taiwan Political Review* on the need for political reform. There is no evidence as far as Amnesty International knows that Huang had been engaged in violent activities

after his release. On 3 November 1976, the organization launched an appeal against his conviction.

There was a series of arrests in the summer of 1976; one was of a group of more than 14 people (arrested in July) accused of varying degrees of involvement in trying to "develop a clandestine organization and planning armed rebellion". Amnesty International wrote to the Minister of Justice Wang Tao-yuan in October 1976, inquiring about these arrests and urging that those concerned receive an open, fair trial and be allowed a proper legal defence. In mid-November, the organization heard that one of the group's leading figures, Chen Ming-chong, had been sentenced to death. The Government denied this report, however, and on 27 November 1976 the Government Information Office announced in an official statement that Chen had been sentenced to 15 years' imprisonment by a military court on 27 November. Seven others had been sentenced to terms ranging from three years in a reformatory to 15 years' imprisonment. Five had been released earlier through lack of evidence against them and a few others who had been reported arrested were unaccounted for. Their fate is still unknown. From the official statement about the trial it appears that some of the defendants were sentenced merely for smuggling in, or circulating, books banned in the Republic of China, and for "contacts with communists" abroad. Six others were charged with attempting to develop "clandestine organizations in Taiwan, to recruit participants and plot armed revolt". However, the full prosecution evidence was not made public. Inquiries are still being made about these cases.

On 5 July 1976, Amnesty International wrote to Premier Chiang Ching-kuo expressing concern about the arrest on 31 May 1976 of eight people charged with "attempting to overthrow the government". Among those arrested were Yen Ming-sheng, a candidate in the 1975 elections to the legislature, and Yang Chin-hai, who had participated in Yen's autumn 1975 election campaign. It was reported that during the election campaign Yen Ming-sheng had received warnings by the Kaohsiung procuracy about some political statements he had made and was told that the arrests were meant to intimidate the Opposition, which was planning to hold a national political conference in November 1976. According to a statement by the Taiwan Garrison Command, the eight persons were arrested for attempting "to overthrow the government, disturb security through violent means and create chaos by sabotaging oil and power facilities". It was reported in October that on 27 July 1976 a military court had sentenced Yang Ching-hai to life and Yen Ming-sheng to 12 years' imprisonment for "conspiracy to carry out sabotage and subversion".

Amnesty International cabled Premier Chiang Ching-kuo, urging that the prisoners be granted an open retrial; and later wrote to the Minister of Justice requesting further information about the cases. No reply was received. The cases have been taken up by Amnesty International for investigation.

On 7 January 1977, a Taiwanese national living in the USA, Wang Hsing-nan, was arrested in Taipei on charges of posting parcel-bombs to government officials, one of which had injured the Provincial Governor of Taiwan. Following reports that Wang had been sent into hospital because of ill-treatment during interrogation, Amnesty International cabled the Government on 28 January expressing concern about these reports and urging that all the details of the case be made known. Wang was sentenced to life imprisonment by a military court on 28 January on the basis of a confession he had made earlier. He admitted his guilt during the trial. However, his relatives in the USA claim that the confession was extracted by force and that he was not allowed a proper legal defence. No further information was available about this case at the time of writing.

In May 1977, Amnesty International made renewed appeals that Hsieh Ts'ung-min, an adopted prisoner, receive medical treatment. Hsieh, a Taiwanese editor imprisoned for the second time in 1971, was reportedly tortured during his pre-trial interrogation. After being sentenced, he spent several years in solitary confinement and is said to suffer from asthma, arthritis and an allergy. His health deteriorated as a result of several hunger-strikes he undertook in prison in 1975-1976. During the past two years, he has on several occasions been said to be in a critical state of health and was once taken to hospital for treatment. Amnesty International heard in December 1976 that he had been treated in a Taipei hospital for a kidney stone and had fully recovered, but in May 1977 he was again reported to be in extremely poor health, unable to take anything but water. He is due for release in August 1977, and Amnesty International again urged the authorities to release him from prison and send him to a civilian hospital for proper treatment.

In June 1977, Amnesty International groups were working for 120 prisoners as adoption or investigation cases.

Thailand (Kingdom of)

After three years of civilian elected government, a military regime was reinstated in Thailand on 6 October 1976. On 5 October, several thousand students at Thammasat University in Bangkok took part in

a demonstration led by the National Student Center of Thailand (NSCT) against the return to the country of Field Marshal Thanom, a leader of the former military Government. The demonstration was in protest against the hanging a few days before of two workers in Nakhon Pathon who had stuck up anti-Thanom posters. During the rally at Thammasat, the NSCT staged a play about the two lynched workers.

Early on 6 October, several thousand right-wing students and other militants, police and para-military groups besieged Thammasat University using firearms. Official reports stated that more than 40 people were killed, but others said the total number of deaths was much higher. Over 3,000 students and others were arrested. Conditions in the prisons were inadequate and extremely overcrowded. On the evening of 6 October, the military imposed martial law.

On 14 October 1976, Amnesty International cabled the new Prime Minister, Thanin Kraivichien, calling for the release of the students and asking for an investigation into reports of police brutality towards them.

The 24-strong National Administrative Reform Council (NARC) was formed shortly after the coup and on 22 October King Phumiphon Adundet introduced the new constitution. The NARC introduced wide powers of arrest and detention, banned strikes, declared all meetings of more than five people illegal and maintained strict censorship of the press. The maximum period of detention without trial was extended from 84 to 180 days. The NARC also announced the establishment of "re-education" centers for individuals considered to be a "danger to national security".

On 29 October, Amnesty International again wrote to the Prime Minister, calling for all those detained during and after the 6 October events to be released on bail.

Although about half the students arrested at Thammasat University were released on bail a few days after the coup, many other people were arrested on the grounds that they were a "danger to national security". Members of political parties, trade unionists, journalists, students and teachers were among the victims of the second wave of arrests after the 6 October events. The total number of these detainees has not been established, but it is estimated that several thousand were arrested and detained throughout the country.

The students arrested at Thammasat were charged with offences relating to rioting and communist activities. Secretary General of the NSCT Sutham Saengprathum and five other student leaders faced additional charges of *lèse-majesté*.

On 12 March 1977, nine detainees charged with being a "danger to national security" were released. Eight of these cases had been taken up by Amnesty International. Immediately after the releases, three were re-arrested and charged with participating in the riots at Thammasat University.

By early 1977, most of the students arrested at Thammasat University had been released on bail. In March, it was announced that criminal charges had been brought against 143 students, many of whom had been released on bail, and that charges had been dropped against all the others who had been released on bail because there was insufficient evidence against them. Later in March, it was reported that the charges would be dropped against about 40 of the 143, who were under 18.

The Department of Public Prosecutions further recommended that charges be dropped against 36 other people, again because of insufficient evidence. However, in April, the Police Department insisted on charging them and bringing them to trial. The outcome of this dispute between the Prosecution and Police Departments is not yet known. At the time of writing, charges had been upheld against about 100 students.

There is no indication as yet as to when the students are due to be tried. Their trial will be before an emergency military tribunal and they will not be allowed defence counsel nor have the right to appeal.

On 5 April 1977, Amnesty International cabled Prime Minister Thanin Kraivichien expressing concern about the continued detention of political prisoners and calling for an amnesty for all those held without trial. The organization urged the Government to grant bail to all those whom it intended to try. In June 1977, it again cabled the Prime Minister, recommending that all trials be fair and open, and requesting him not to sentence prisoners without bringing them to trial, as he is empowered to do by Article 21 of the Constitution.

Amnesty International has also taken up for investigation the cases of two students and five workers arrested by the former civilian Government of Prime Minister Kukrit Pramoj. Seven men and two women were arrested on 30 March 1976 in various factories in the Nakhon Pathon region. The students were involved in trade union activities among textile workers. Police raided several factories on 30 March and claim to have found communist literature and an illegal shotgun.

For several weeks the nine people were held in a provincial detention center and in June 1976 they were transferred to Laadyao Prison in Bangkok. In August, the two girls were granted bail. The

nine were charged in August 1976 under the Criminal Code and the Anti-Communist Act. Since they were arrested before the declaration of martial law, their case is being heard in a civilian court and they are allowed legal representation. The prosecution has brought forward 64 witnesses, including special branch men and police officers. By April 1977, only five of these witnesses had given evidence. The trial is likely to last several months.

Amnesty International has also been deeply concerned with the situation of Indo-Chinese refugees in Thailand. By the end of 1976, there were reckoned to be over 70,000 refugees in Thailand, many of whom are still living in camps. In August 1976, it was reported that there were anti-Vietnamese demonstrations in parts of north-east Thailand. Students and right-wing elements were said to have taken part in the stoning of Vietnamese property, and 26 students were held on charges of causing disturbances.

In November 1976, the Bangkok Metropolitan Police Commissioner Lieutenant General Wichian Saengkaeo was reported to have ordered the police to arrest, after 6 October, any aliens who had illegally entered the country. The police claimed that 123 illegal immigrants had so far been arrested in Bangkok. Such arrests also took place in many border regions of Thailand.

Also in November 1976, it was reported that 26 Cambodian refugees who had been handed over by the Thai to the Cambodian authorities at the frontier post of Aranya Prathet, were summarily killed in Cambodia. Amnesty International wrote to Prime Minister Thanin on 16 February 1977 urging that the Thai Government refrain from compelling refugees to return to their country of origin, especially when there was a real possibility of reprisals being taken against them. At the same time, the organization expressed grave concern to the Cambodian Government about the reported killings.

The Vietnamese Government has several times condemned the way the Thai authorities have treated Vietnamese refugees. In October 1976, the Vietnamese Government accused Thailand of sending some 7,000 refugees to "concentration camps" in the north. The Vietnamese Foreign Ministry was said to have claimed that they had been rounded up on charges of subversion.

In April 1977, the Vietnamese Government protested against the arrest of more than 60 refugees on charges of involvement in clandestine political activities and endangering national security.

The new Thai Constitution gives the Prime Minister special powers to deal with cases affecting national security. He used these powers in April 1977, when he ordered the execution of two untried men: Thavorn Udomnueduj, a Lao-Chinese narcotics agent, who was executed on 15 April and a senior Thai general, General Chalard Hiranyasiri, executed on 21 April for his part in an abortive coup in late March 1977. Several police and civilians, including two senior government officials and four journalists, were held for questioning in connection with the attempted coup. On 2 May, Amnesty International wrote to Prime Minister Thanin Kraivichien urging him to stop using the death penalty and sentencing people without trial.

Vietnam (Socialist Republic of)

North and South Vietnam were officially reunified on 2 July 1976, two months after the elections to the National Assembly in April 1976, and the Socialist Republic of Vietnam was proclaimed.

A number of arrests of groups or individuals were reported in 1976-1977; but the most important issue remained the large-scale detention in "re-education" camps of civilian and military personnel of the former Saigon administration.

In 1976-1977, Amnesty International made inquiries to the Vietnamese Government about procedures for releasing people being "re-educated", and about various individuals said to be in detention and what their conditions were like.

While most of the over a million people who had registered for "re-education" in 1975 spent only a short time in centers set up for this purpose, numerous former officers and civilians were still being held in camps towards the end of 1976—as many as 200,000 according to some observers. However, Vietnamese officials stated in February 1977 that about 50,000 people were still held, equivalent to 5% of the total of those who had registered. According to the statement, issued by Vietnam's observer at the United Nations, they would have to "remould themselves" before being released and they were being reasonably treated, although they could not expect a "better life than most of the ordinary working people in Vietnam".

In an earlier statement made in May 1976 the Provisional Revolutionary Government said that "those who have committed numerous crimes against the people and who show themselves to be obstinate at the political courses will be brought to trial at tribunals". And those in this category who "hide or conceal themselves in any way" and "clandestinely sabotage the revolution will be severely punished by law". According to the British newspaper the *Guardian* of 11 April 1977, quoting a broadcast by Hanoi Radio, those who would have to undergo prolonged "re-education" included "members of

the green berets, the rangers, the paratroops, marines, policemen, prison guards, district officials, village chiefs and secret agents who were trained by the United States".

For the remaining 5%, the average length of "re-education" would be three years, a period which can apparently be reduced depending on the "progress made in the re-education centers". No other factors determining releases have been specified.

Foreign journalists were allowed to visit some camps in 1976 and generally reported that "re-education" consisted of manual labour during the day followed by political courses and self-criticism sessions in the evening. One such account, reported in the American newspaper the *Washington Post* of 15 February 1977, concerned a camp in the former Tranglon base near Tayninh which held 4,000 former officers. The director of "re-education" services of the 7th military zone, which includes the Tranglon camp, stated that 21,000 junior and senior officers had been registered for "re-education" in the whole zone, half of them having already returned to their families. The food was reported to be sufficient and the officers were allowed a three-hour visit from their families once every three months.

Little is known, however, about most of these camps. From information available it seems that conditions vary significantly from one to another, depending either on the natural conditions of the area, on the managemement of the camp or on the gravity of the offences allegedly committed by the detainees. Some places are reported to be open centers, others to be closed camps where conditions are harsh and freedom of movement is restricted. In some cases, it is said, families have been allowed only one visit to their relatives since 1975, while in others short visits are allowed once a month.

Amnesty International has received reports indicating that in late 1976 transfers occurred from organized camps to development areas where food and sanitary conditions were said to be very poor. These transfers have increased problems of communication between the detainees and their families who apparently were not given official advance notice of the moves.

Amnesty International wrote to Prime Minister Pham Van Dong in April 1977, asking especially about transfers from camps in the south to the north, near or north of Hanoi, which were said to have been made in the autumn of 1976. Although it has since been reported that some of those transferred were later returned to the south, the total number and categories of those remaining in the north are not known.

Amnesty International also expressed concern about the prolonged detention of those who, as far as is known, have not been charged

with criminal offences. Inquiries were made about individuals believed to be Prisoners of Conscience: for example, Tran Van Tuyen, a lawyer who was Secretary General of the former Nationalist Party in South Vietnam. For a few months he had held the post of Deputy Premier in the short-lived Phan Huy Quat Government in 1965, and later stood for election to the House of Representatives of the Saigon National Assembly where he became the Chairman of the opposition bloc. He remained a member until April 1975. He was known to have defended political detainees held by the Thieu Government. He was sent to a "re-education" camp in Long Khanh province in June 1975 and, after several transfers, was last said to be held in Chi Hoa Prison in Ho-Chi-Minh City. He is 64-years-old and is reported to have refused to write confessions and to be in bad health due to his prolonged detention. His case and other similar ones are being followed by Amnesty International adoption groups.

Some releases were officially announced during the past year. In August 1976, the Vietnamese National Assembly declared an amnesty, to become effective on National Day, 2 September. Amnesty International welcomed the amnesty in a cable to the Chairman of the Standing Committee of the National Assembly, Mr Truong Chinh, and asked for details about the number and categories of those concerned but no further information was received. In February 1977, the Vietnam News Agency announced that more than 1,000 officers, police and administrative personnel had been released because they had "made substantial progress in reformation at military management camps". The 1,000 came mainly from the 7th military zone, including Ho-Chi-Minh City, and from the Mekong Delta. Other individual releases were also announced, some of former ministers and senior army officers.

Various arrests were reported in 1976-1977. On 10 September 1976, Amnesty International wrote to the Minister of the Interior Tran Quoc Hoan, enquiring about the arrest of the leader of one of the Hoa Hao Buddhist factions, Luong Trong Tuong, and three members of his family. They were said to have been arrested at the beginning of July 1975 and to be held in Chi Hoa Prison in Ho-Chi-Minh City. According to some reports, some Hoa Hao belonging to Luong Trong Tuong's faction and other associations had organized armed groups to oppose the new Government after April 1975. The Saigon newspaper *Giai Phong* announced in mid-July 1975 that ammunition depots were discovered in the office of the "Fourth Central Committee of the Hoa Hao Buddhists" in Long Chau Tien province. According to Tuong's relatives, however, when some Hoa Hao proposed forming a resistance front, Luong Trong Tuong had called upon his

followers to remain peaceful, asking them "not to allow Vietnamese blood to be shed again". No official information was available about Tuong's arrest.

Fresh inquiries were made about these cases at the end of October 1976, following reports that Tuong's wife had been arrested in July 1976. In May 1977, Amnesty International received news that Tuong had been released but that two of his family were still detained.

The letter sent in September to the Minister of the Interior also mentioned reports that nine Buddhist nuns and two monks had immolated themselves by fire at the Thieu Vien Duoc Su Temple, Can Tho province, on 1 November 1975. According to these reports, the suicides were in protest against local authorities restricting religious practices. Amnesty International asked what had happened to three women reported to have been arrested three days later when they went to the temple upon learning about the suicides and whose whereabouts were unknown. A letter signed by the abbot of the temple, the Venerable Thich Hue Hien, appealing for respect for freedom of worship and giving the names of the 11 other nuns and monks involved, had been circulated together with a letter sent in November 1975 by the Unified Buddhist Church of Vietnam to the Provisional Revolutionary Government of South Vietnam. The French review *Le Point* reported on 25 April 1977 that four members of the Buddhist Institute for the Propagation of the Faith went to the Duoc Su temple to investigate the affair a few days after it happened but were prevented from getting information by the local authorities. After hearing their report, the Church had sent an appeal to the Government.

In February 1977, the Vietnamese Government denied that these were suicides. They said that, according to witnesses' testimony, Pham Van Co (lay name of the Venerable Thich Hue Hien) had murdered two nuns in 1972 and 1974 after he had made them pregnant, and that he had "continued his immoral conduct after the liberation of South Vietnam". According to the Government statement, "in the face of being exposed, Co decided to end his life, burnt the temple and himself after killing 11 others, including two youngsters".

A letter from the Venerable Thich Thien Chau, published by the magazine *WIN* in January 1977, gave an account similar to the official one. The author of the letter, a representative of the Association of Vietnamese Buddhists in France, said that during an interview in June 1976, the President of the Buddhist Institute for the Propagation of the Faith, the Venerable Thich Tri Thu, confirmed that after an investigation the An Quang Pagoda had "filed the matter". However, according to another report, the Church had attempted unsuccessfully to discuss its own findings on the affair with the Government.

In 1977 tensions between leading members of the Buddhist Church and the authorities seem to have developed. In April it was reported that a member of the People's Committee of Ho-Chi-Minh City had given warnings to some members of the An Quang Pagoda who were "more and more openly opposing the revolutionary power". The An Quang Pagoda had been famous during the war as a center of opposition to the Saigon Government. The available information suggests that the authorities have tried to restrict the activities of the Buddhist Church, particularly its social work in schools and orphanages, and have encountered strong opposition. Arrests were reported in April, five of them of leaders of the Unified Buddhist Church.

In May 1977, Amnesty International wrote to President Ton Duc Thang expressing concern at these reports and urging that the arrests be investigated. The organization supplied the names of seven monks reported arrested and urged that those detained be released pending an enquiry. At the time of writing, no further information was available.

Amnesty International also looked into the case of a Roman Catholic bishop, Monseigneur Nguyen Van Thuan, said to have been placed under surveillance in August 1975 and imprisoned in Nha Trang in March 1976. Monseigneur Thuan was Bishop of Nha Trang until his nomination as Coadjutor Archbishop of Saigon shortly before the change of government in April 1975. His nomination was opposed by a small group of radical priests who wanted to prevent hasty changes in the church hierarchy and another bishop was nominated Coadjutor several months later. The charges against him do not appear to have been disclosed officially. According to some sources, Monseigneur Thuan may be accused of having had connections with the CIA and spreading anti-communist propaganda during the war. Rumours that he had died in prison were denied by the Vatican in April 1977, but his imprisonment was confirmed. Amnesty International inquired about his health, which was said to be bad because of his imprisonment, and urged that he be released or that the charges brought against him be made public.

Reports circulated in 1976 that many Roman Catholic priests had been arrested, but there is little information about individual cases and many reports remain unconfirmed. However, one particular case involving Roman Catholic priests, known as the "Vinh Son Church affair", was given wide publicity in the Vietnamese press. On 13 September 1976, 14 laymen and priests, some of the former being ex-officers of the Saigon army, were brought to trial in Ho-Chi-Minh City. They had been arrested the previous February for involvement in

the Vinh Son Church incident, in which a group of men engaged in a gun battle with the police after seeking refuge in the church. The Tribunal charged them with having formed a resistance movement called "The People's Army for National Recovery" and with engaging in armed resistance and economic sabotage by printing false money. They reportedly admitted the charges during the trial, which lasted four days. Among them, two ex-army men, Nguyen Duc Hung and Nguyen Xuan Hung and one priest, Nguyen Huu Nghi, were sentenced to death. On 28 September, Amnesty International appealed to President Ton Duc Thang to commute the sentences on humanitarian grounds. According to some reports the sentences still had to be confirmed by the President, but no further information was available on whether or not they had been carried out.

In June 1977, Amnesty International groups were working on behalf of 12 prisoners who had either been adopted or whose cases were being investigated. One adopted prisoner was reported released in March 1977 and his release was later confirmed. Other reported arrests were being followed up by the Research Department.

EUROPE

All of the states of Europe except **Albania** are party to global or regional pacts which guarantee or proclaim the fundamental rights of conscience. Nonetheless human rights were still being violated in most countries of Europe in 1976-1977.

International concern about human rights tended in the past year to focus on governmental implementation of the undertakings made in the Final Act (1975) of the Conference on Security and Cooperation in Europe (CSCE) by all the states of Europe except **Albania.** The CSCE has been both a forum not only for discussion of human rights questions but also for international political confrontation: the participant states of Eastern and Western Europe have rivalled one another in producing allegations and counter-allegations of violations of the Final Act's forceful proclamation of the rights of conscience.

In June 1977, before the conference of representatives of participant states to prepare for the first CSCE follow-up meeting, the Chairman of The International Executive Committee of Amnesty International urged the head of government of each state participating in the CSCE to work for full implementation of the document's human rights undertakings. Amnesty International said it regarded those undertakings as "recognition that imprisonment for exercise of the rights of conscience is incompatible with the norms of government of the states of Europe". While noting that in many states of Europe human rights had been violated since the Final Act was signed in 1975, Amnesty International expressed the hope that such violations would stimulate rather than impede continuing discussion and development of the Final Act's human rights provisions.

The **USSR** and some countries of **Eastern Europe** provided most instances of imprisonment for the non-violent exercise of the rights of conscience in 1976-1977 and hence most Amnesty International adoption cases were in these countries. The **USSR** and all of the countries of **Eastern Europe** retained legislation prescribing imprisonment specifically for those exercising internationally proclaimed rights of speech, assembly and movement in ways disapproved of by the authorities. The severity of application of such legislation varies from country to country. In 1976-1977 Amnesty International

had about 230 adopted Prisoners of Conscience in the **USSR** most of whom were imprisoned under such legislation. As in past years Amnesty International knew of few Prisoners of Conscience in **Hungary**. In early 1977, 10 people in **Poland** (who had attracted domestic and international attention for their activities) were arrested for criticizing the Government's treatment of workers arrested after disturbances in June 1976. In early 1977 the Czechoslovak authorities used such legislation to imprison those associated with the Charter 77 movement, while at the end of 1976 a number of citizens of the **German Democratic Republic** (GDR) were imprisoned for making public statements about the Government's having deprived the poet Wolf Bierman of his GDR citizenship. As in previous years, a number of Yugoslav citizens were imprisoned for "hostile propaganda". Amendments to the new draft Penal Code in **Yugoslavia** (which was finally rejected in 1976) and the new draft Constitution of the **USSR** indicated that neither country's Government was prepared to amend or eliminate such legislation.

In **Western Europe** Amnesty International's adoption of Prisoners of Conscience remains for the most part restricted to Conscientious Objectors in prison. In **Spain**, the **Federal Republic of Germany** and **Portugal**, legislation pertaining to the treatment of Conscientious Objectors was amended and ameliorated, and in June 1977 changes in the law were being discussed in **Sweden**. In **Switzerland** preparations for a national referendum on alternative service for Conscientious Objectors was the subject of discussion by the Government, but no immediate reform seemed likely. Amnesty International investigated or interceded in cases of imprisoned Conscientious Objectors in all of the above mentioned countries, as well as in **Turkey**, **Greece** and **France**. Imprisonment of Conscientious Objectors is common to many of the countries of **Eastern Europe** as well, but Amnesty International's action on such cases in those countries was hampered by lack of information.

In **Turkey** people believed to be communists were still being imprisoned and Amnesty International's adoption program continued. An Amnesty International researcher visited the country early in 1977. The organization published a Briefing Paper on **Turkey** in March 1977.

In **Spain** amnesties and a pardon brought the release of almost all Amnesty International's adopted Prisoners of Conscience. Reform of the law on association and reunion and the legalization of most political parties drastically reduced the numbers hitherto arrested for illicit association and belonging to illegal parties. These two groups

had provided the majority of Amnesty International's cases in former years. However there were still allegations of police involvement in torture. Amnesty International published a detailed dossier on the subject and sent delegates to a conference of doctors in Barcelona to help increase the effectiveness of the medical profession in combatting torture. An Amnesty International researcher visited **Spain** in late 1976 to gather information on all matters about which the organization was or might be concerned.

In April 1977 Amnesty International published a major report on trials which took place in 1975 in **Greece** of persons who had tortured political prisoners under the former *junta*.

Amnesty International published a Briefing Paper on **Czechoslovakia** in early 1977, and sent observers to the trials of Czechoslovak musicians imprisoned for artistic expression disapproved of by the authorities but tried for "violating public order". The organization hopes to attend the trial of persons arrested for involvement with the Charter 77 human rights campaign. A Briefing Paper on the **German Democratic Republic** is scheduled for publication in October 1977. Amnesty International has maintained its full adoption program in the GDR, the main focus of which continues to be those GDR citizens who are imprisoned for trying to leave the country without official permission. In June 1977, an Amnesty International mission went to **Yugoslavia** and discussed matters of concern with officials at the Federal Ministry of Justice.

Amnesty International interceded with the Polish authorities to ask for an official and public investigation into allegations of ill-treatment and wrongful imprisonment of workers arrested after the 1976 disturbances in Radom and Ursus. When, early in 1977, a number of Polish citizens who had made those allegations were themselves imprisoned, Amnesty International urged that they be released, and a French lawyer visited **Poland** on behalf of the organization to investigate their cases. Amnesty International also asked the Polish authorities to meet an Amnesty International mission to discuss these and other concerns, but the Polish authorities did not agree to do so and the mission was not sent.

As well as continuing its adoption program in the **USSR** Amnesty International prepared, and distributed internationally, numerous documents about a variety of aspects and cases of human rights violations in that country. By means of "Urgent Actions" and other techniques Amnesty International intervened on behalf of some Prisoners of Conscience who were in ill health or had been wrongfully confined to psychiatric hospitals. Among those adopted as Prisoners of Conscience in the **USSR** were nine persons arrested for

their activities in the unofficial groups set up to monitor Soviet compliance with the human rights provisions of the Helsinki Final Act.

The number of Amnesty International's adopted Prisoners of Conscience in **Western Europe** remained few. In June 1977 an Amnesty International research mission was sent to the **Republic of Ireland** to study reports that human rights violations have occurred in the application of the country's anti-terrorist legislation. For investigation purposes an Amnesty International observer was delegated to attend the hearing in the **Federal Republic of Germany** of the case of a lawyer charged with having been engaged in criminal activity when representing the "Red Army Fraction" defendants.

Amnesty International took action regarding the prison conditions of people convicted for committing criminal offences with ostensibly political motivation in the **Republic of Ireland**, the **United Kingdom** (both in **Great Britain** and in **Northern Ireland**) and the **Federal Republic of Germany**. In June 1977, Amnesty International urged **France**, the **USSR**, the **United Kingdom** and the **United States of America** to change the conditions of Rudolf Hess, the former Nazi Party leader who is the prisoner of the Four Powers. Rudolf Hess is the only inmate of Spandau Prison in Berlin, and since his sentence of imprisonment is for life he is serving it in solitary confinement. This, Amnesty International believes, constitutes a clear instance of cruel and inhuman treatment.

Amnesty International took various actions against the use of the death penalty in 1976-1977. Urgent Actions were conducted against death sentences passed in **France, Ireland, Bulgaria** and the **USSR**. Amnesty International's intervention over a death sentence passed in **Hungary** brought a front-page reaction from the main daily newspaper of that country's Communist Party, and in response to the first death sentences passed in the **Republic of Ireland** since 1954 a research mission and a mission of intercession by Amnesty International's Secretary General were sent to Dublin.

Albania (People's Socialist Republic of)

It is difficult to obtain reliable, up-to-date information essential for the adoption of individual Prisoners of Conscience in Albania. Amnesty International also confronts the problem that the publication of prisoners' names or disclosure of confidential information submitted by private sources might jeopardize relatives or friends

still living in Albania. No official information such as indictments, trial transcripts or statistics concerning political imprisonment were made public by the Albanian authorities in the past year. Verifying allegations of human rights violations is therefore most difficult.

According to the new Constitution (28 December 1976, Article 37) the state does not recognize any religion but rather supports and develops "atheist propaganda" in order to educate the people of Albania in a scientific-materialist world outlook. This provision in the new Constitution reaffirms the position taken by Secretary of the Communist Party Enver Hoxha who on 6 February 1967 proclaimed that Albania had become the first atheist state in the world. Within a few months of his statement, more than 2,000 buildings used for religious purposes, including 268 Roman Catholic churches, were destroyed or sealed and several hundred priests were allegedly sent to prison camps. Heavy prison sentences are reportedly still frequently imposed on priests for exercising freedom of conscience.

Although Article 53 of the new Constitution guarantees freedom of speech, press, organization, assembly and public demonstration, these rights are evidently not respected in practice. Article 73 of the Albanian Penal Code (1958) prescribes a sentence of up to 10 years' imprisonment (or the death penalty in aggravated cases) for "anti-state agitation and propaganda".

Violation of the constitutional right of expression evidently extends to members of the government of Albania. In November 1976 former Minister of Defence, Bequir Balaku, was reported to be facing the death penalty along with eight other high-ranking government officials, having apparently been defeated in a political struggle within the government. Reportedly, he was charged with "conspiracy", as were eight of his associates facing imprisonment.

Although the provisions concerning the confinement of minors and women in Albania have improved slightly since the 1960s, allegations were made that children over the age of ten are frequently assigned corrective work, banished or sent to concentration camps with their parents who are imprisoned for political reasons. The Penal Code of 1952 set the minimum age for imprisonment at 12. The amended Penal Code of 1958 sets the age limit at 14. The subsections of Article 6 proclaim that children under 14 can be subjected to other methods (unspecified) of corrective punishment. It is difficult, on the basis of available reports, to establish the number of confined children and wives of political prisoners. However, estimates of many hundreds were made by unofficial sources.

Although Article 42 of the Constitution guarantees "protection

and development of the culture and traditions of national minorities", it is believed that members of the Macedonian, Greek and Montenegrian ethnic groups are particularly liable to imprisonment. Various informed sources have expressed concern at the situation of the Greek minority in Albania. It is said that many Albanian Greeks have been confined to labour and concentration camps because of their affiliation to the Greek Orthodox Church and because of their cultural activities.

As in previous years, during 1976-1977 Amnesty International received allegations of maltreatment and torture of inmates in prison camps in Albania, especially in Shkoder, Durres, Tirana and Lushnje, but was unable to corroborate these.

According to Article 255 of the Penal Code it is an offence punishable by up to 10 years' imprisonment to attempt to leave Albania without official permission.

Bulgaria (People's Republic of)

Bulgarian citizens who publicly express dissident views are liable to be charged under Article 108 of the Penal Code, which prescribes terms of imprisonment of up to five years for "anti-state propaganda" or Article 109, which prescribes terms of imprisonment of between three and 12 years for membership of any organization whose activities are "aimed at the destruction of the people's democracy". In March 1977 a spelaeologist, Alexander Alexandrov Strezov, was tried in Sofia under Article 108 after he had participated in the newly formed human rights movement in Bulgaria and publicly expressed sympathy with the Charter 77 movement in Czechoslovakia.

The availability of legal documents about this case is limited and Amnesty International continues to investigate it. In January the foreign media reported that 40 more Bulgarian intellectuals had been questioned by the police in connection with the circulation of texts of Charter 77.

According to reports reaching Amnesty International an undisclosed number of dissident members of the Pomak, Macedonian and Turkish ethnic groups are being detained in various prisons or places of assigned residence.

In recent years Amnesty International has been concerned about a number of cases in which Bulgarians with foreign business or professional connections have been convicted for "espionage" and sentenced to death. The cases of Solomon Ben Joseph, Heinrich Spetter and Nicholas Chamurlisky were noted in the *Amnesty International Reports* for 1974-1975 and 1975-1976. A similar case was reported in 1976, that of Dr Peter Kondofersky. Dr Kondofersky is a graduate of Montpellier and Toulon Universities in France and is reportedly acquainted with some French government officials. After his return to Bulgaria, he worked as a gynaecologist near Sofia and maintained regular contact with his daughter and former colleagues living in France. Dr Kondofersky was arrested on 24 June 1971, charged with espionage and sentenced to 12 years' imprisonment and confiscation of property. Since then he has been held in Stara Zagora Prison where he is reported to have suffered several heart attacks. Amnesty International is investigating his case.

Article 279 of the Bulgarian Penal Code makes trying to leave the country without official permission an offence punishable by up to five years' imprisonment and a fine of up to 3,000 lewa or banishment. Amnesty International is investigating the case of Asen Andonov, a 32-year-old Bulgarian citizen who has been arrested and re-arrested several times after trying to leave the country without official permission. Amnesty International knows that his last trial took place in 1973-1974. In 1968, shortly after attempting to leave the country, Asen Andonov was treated at a psychiatric clinic in Sofia. In 1971 he was banished with his family to the village of Varbiza, where he worked as a stonemason.

A similar case being investigated by Amnesty International is that of Stefan Marinov, a physicist working at the Bulgarian Academy of Science in Sofia, who has applied for a passport several times since 1960. In 1965, after his application for a passport had been repeatedly refused, Mr Marinov distributed leaflets about his case to participants in the International Youth Conference being held in Bulgaria. He was subsequently arrested and given psychiatric treatment including pharmocotherapy. Amnesty International does not have consistent or detailed evidence that psychiatric methods are deliberately being used as an instrument of political repression in Bulgaria, but the Marinov case gives grounds for concern. Stefan Marinov was released after a year and continued to work at the Academy of Science. His fresh applications for a passport were refused and he applied for political asylum at the US Embassy in Sofia. On leaving the Embassy, which refused his application, he was reportedly severely beaten again by the police and confined in a psychiatric hospital. He was kept there for more than a year. After his release he was dismissed and pensioned off from his work. He was again arrested and taken to a mental institution in Sofia in mid-April 1977 after organizing an unofficial international symposium on physics. In May 1977 he was released in order to meet some

foreign scientists who tried to attend the symposium although the authorities had cancelled it, declaring it illegal.

Amnesty International has adopted Ljuben Hadji-Dimitrov, an architect from Vinica, who was arrested together with his wife in September 1976 after their children failed to return to Bulgaria. They were interrogated several times by the secret police. Both were charged with planning to cross the border illegally. They were also charged with possession of propaganda hostile to the régime. This apparently consisted of some letters from their three children who had been granted political asylum in Switzerland. Ljuben Hadji-Dimitrov has been sentenced to four years' imprisonment. His wife was released on grounds of her ill-health after a few months' imprisonment.

As with other aspects of human rights violations in Bulgaria, it is difficult to find out precisely in what sort of conditions Bulgarian political prisoners are kept. Amnesty International has been informed that some political prisoners are detained in prisons in Sofia, Stara Zagora, Burgas, Plovdiv, Vratsa, Pazardzik, Lovec and Pleven. There have been reports that some political prisoners are assigned to forced labour in the mines of Bobov and Kremikovc. Some known Prisoners of Conscience are sentenced to terms of banishment to remote villages rather than confined in penal institutions.

Amnesty International has received detailed reports from former political prisoners about the island prison of Belena (*Darzavno Zenedelsko Stopavstvo*). According to these allegations the number of prisoners on Belena may be as many as 4,000-6,000, including political prisoners. Amnesty International has also received allegations that political prisoners in other prisons are held in overcrowded conditions and that they are allowed only very restricted visiting rights and exercise. Allegations of maltreatment were made by former inmates of Stara Zagora, Belena and Sofia Central Prison where political prisoners are held pending trial. Prisoners there are said to have been kept *incommunicado* for months, sometimes in cells without daylight.

Amnesty International has seven adoption and 11 investigation cases in Bulgaria. These figures are not so much a reflection of the actual number of political prisoners in the country as an indication of how difficult it is to get reliable information.

Czechoslovakia (Socialist Republic of)

In 1976-1977 there were more known violations of human rights in Czechoslovakia which were of concern to Amnesty International than in the preceding year.

The Amnesty International Report 1975-1976 reported the arrest of 19 young people who were members of, or associated with, two rock music groups. A number of them were brought to trial in 1976 on charges of "arousing public disturbance" (Article 202 of the CSSR Penal Code). The specific charges related to their cultural activities and lifestyle, and Amnesty International believes that they were arrested and subsequently convicted for the legitimate exercise of their right to artistic expression.

At the first trial held on 5 and 6 July 1976 in Plzen three of the people arrested, Karel Havelka, Miroslav Skalicky and Frantisek Starek were given prison sentences of from eight to 30 months, which were later halved on appeal. At the second trial on 21 and 23 September 1976 in Prague, four defendants received prison sentences ranging from eight to 18 months: Ivan Jirous, an art historian and the artistic director of one of the groups, got 18 months; Pavel Zajicek, a lyricist, got 12 months; Svatopluk Karasek, a former Protestant pastor and singer, got eight months and Vratislav Brabenec, a saxophonist, got eight months. on 11 November 1976, the Appeal Court upheld the sentences. The remaining musicians were freed but Amnesty International learned in early January 1977 that police investigations of six more musicians had been completed and that they were expected to be brought to trial.

Amnesty International German Section published and distributed a comprehensive account of the persecution of these non-conformist artists (*CSSR 1976—Junge Kulture unter Anklage*) and nominated two Austrian lawyers, Mr Henry Goldman and Dr Wolfgang Aigner, to observe their trial on 21-23 September 1976 and the appeal hearing on 11 November 1976. Although Czechoslovak law provides for open trials both Amnesty International delegates were prevented from attending either hearing.

On 26 October 1976, the Czechoslovak Communist Party newspaper *Rude Pravo* published an article accusing a prisoner of conscience (an Amnesty International adoptee) Jiri Müller of having engaged in terrorist acts in 1971. Amnesty International prepared and distributed a statement to the effect that thorough examination of this case had established that at no time had he used or advocated violence. On 1 November 1976, Amnesty International adoptee Dr Milan Hubl went on a six-day hunger-strike in protest about prison conditions and the deliberate official restriction of his children's education opportunities.

On 10 December 1976 four prominent supporters of Alexander Dubcek's 1968 reform policies who had been sent to prison for from five to six-and-a-half years were released before their sentences had expired and put on three years' probation. These were the historian

Dr Milan Hubl; student leader, Jiri Müller, economist, Dr Ing Antonin Rusek and Professor Jaroslav Sabata, a sociologist. On 13 December 1976, Amnesty International wrote to the President of the CSSR, Dr Gustav Husak, welcoming the release of these Amnesty International-adopted Prisoners of Conscience.

On 7 January 1977 several Western newspapers published the text of a human rights manifesto called Charter 77. It calls on the Czechoslovak Government to implement the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights which came into force in Czechoslovakia on 23 March 1976 and became part of the Czechoslovak Legal Code on 13 October 1976. Following the publication of the manifesto abroad the Czechoslovak authorities resorted to repressive measures on a scale not experienced since 1972.

During the first part of 1977, eight people were arrested for alleged criminal activities against the state. They were: Jiri Lederer, journalist; Dr Vaclav Havel, playwright; Dr Frantisek Pavlicek, writer and theatre-director; Ota Ornest, theatre-director; Ing Vladimir Lastuvka, nuclear physicist; Ing Ales Machacek, agronomist. The first named three persons had signed Charter 77. Two of the detained were subsequently released conditionally: Frantisek Pavlicek on 14 March 1977 for health reasons and Vaclav Havel on 20 May 1977 after sending a letter to the Prosecutor General pledging to refrain from any activities that pending his trial might be misused abroad. Detailed charges against the first named four have not been officially announced, but Vladimir Lastuvka and Ales Machacek, who had distributed Charter 77, were accused of incitement (Article 100). Amnesty International wrote to the President and Prime Minister of Czechoslovakia on 21 March 1977 expressing its concern about the deterioration of the human rights situation in the country and the detention of people whom it regards as Prisoners of Conscience.

More recently Amnesty International has taken up the cases of two more people detained in connection with Charter 77: Ales Brezina, a former theology student and signatory of Charter 77 who was sentenced on 14 June 1977 to a half years' imprisonment for refusing to do military service (Article 269) and Frantisek Pitor, an electrician and a former political prisoner, who was arrested on 9 June and charged with incitement (Article 100) for distributing Charter 77.

By mid-February the flats of 41 signatories had been searched and house searches are still being conducted. Among the confiscated objects were personal possessions not apparently relevant to the investigation.

Almost all signatories have been interrogated by the State Security police, many of them several times, and interrogations are still going on. The writer Karol Sidon was held for more than 100 hours despite Article 75 of the Criminal Procedure Code which states that charges must be brought within 48 hours. Professor Jan Patocka, spokesman for Charter 77, was interrogated several times following his conversation on 1 March with Dutch Foreign Minister Max van der Stoel. After an interrogation lasting 11 hours he suffered a heart attack, was admitted to hospital and, on 13 March, died of a cerebral haemorrhage. During the week before his funeral, some 30 people were held for questioning and six houses were searched. A number of people were stopped on their way to the funeral, several prominent signatories were put under surveillance and many who attended the funeral were photographed. On 15 March 1977 the police broke up a seminar of psychologists and held several participants for up to 48 hours on suspicion that they were discussing matters connected with the death of Professor Patocka.

Many people taken for interrogation were allegedly treated roughly, some so badly that their health was endangered. On 18 February 1977 State Security officials raided the home of Jiri and Nasta Vanek, both workers, who were entertaining 20 friends at a family celebration. During their transfer and later at the police station several of them were beaten. The house was searched during their absence. Among the confiscated items were several copies of Charter 77 plus new signatures to the document. In another incident Jelena Masinova, wife of the writer Pavel Kohout and a signatory of the Charter, had her knee injured by the police. Ivana Hyblerova, a psychologist, was questioned on 31 January by her employer about her motives for signing Charter 77. She was six months pregnant, and had had a threatened miscarriage. She was admitted the same day to a gynaecological clinic where she was given a certificate stating she was incapable of work. On instructions from her employer she was sent home from the clinic and the certificate changed to one classifying her fit for work. Another signatory, Zina Kocova, a student, was detained on 20 January. From 21 January to 2 February she was subjected to examinations and treatment at a clinic for venereal disease. This was evidently an attempt by the authorities to discredit her rather than for authentic medical reasons.

Eighty-one people are known to have been dismissed from their employment during the first four months of 1977 in connection with Charter 77, most without being given notice, for "gross violation of working discipline" (Article 53b of the Labour Code) or for "endangering the security of the state" (Article 53c of the Labour

Code). Among those so dismissed were people who had not signed the manifesto, but had come out in support of Charter 77 or refused publicly to condemn it. Most of those affected appealed against their dismissals, but none are known to have been reinstated in their former jobs and only very few were able to find other (usually lower qualified and less well paid) employment.

Several signatories were put under police surveillance and had their driving licences confiscated and their telephones cut off.

Restrictions on religious freedom and on the right to leave the country have continued and are illustrated by the following cases taken up by Amnesty International.

Stefan Javorsky, a Slovak Roman Catholic priest, was arrested on 26 November 1975 for "misuse of religious functions". On 31 March 1976, the District Court in Roznava charged him with influencing young people to become religious. The trial was adjourned but on 26 January 1977 it was officially announced that Father Javorsky had been sentenced by the Regional Court in Kosice to 2 years' imprisonment.

Josef Martinek, a non-commissioned officer and member of a Czechoslovak national basketball team, received official permission in early August 1968 to take part in a competition in Belgium. Subsequently he applied for an extension of his stay abroad. At first this request was granted, but he was subsequently prosecuted. On 4 May 1972, the District Court in Plzen sentenced him *in absentia* (Article 109 Section 2) to 2 years' imprisonment for staying abroad without permission. He was arrested *en route* to Turkey in December 1976 at the Bulgarian border and extradited to Czechoslovakia where he is being held in Bory-Plzen prison awaiting another trial.

In March 1977 Amnesty International published a Briefing Paper on Czechoslovakia which described Amnesty International's main concerns about the country—namely the existence and application of laws which prescribe imprisonment for the non-violent exercise of certain rights of conscience, the inadequacy of legal safeguards and abuse of legal provisions relating to house searches and pre-trial detention and poor treatment and prison conditions for political prisoners.

At the end of June 1977, Amnesty International had 15 adoption and 14 investigation cases in Czechoslovakia.

France (Republic of)

Amnesty International has continued during 1976-1977 to adopt

people imprisoned for conscientious objection to military service. There is public pressure on the Government to modify the legislation relating to conscientious objection and to permit applications for Conscientious Objector status after induction as well as before. The French authorities consider only those applications for Conscientious Objector status which are based on religious or philosophical grounds, not those based on broader political beliefs. Complaints continue about the restrictive nature of the alternative civil service. However, the provisions for conscientious objection have not been modified in France, which is one of the few European countries not to have altered this type of legislation in recent years.

Recently, several Jehovah's Witnesses were sentenced to between 15 months' and two years' imprisonment by the special military courts, *Tribunaux permanents des forces armées* (TPFA), which were set up in 1961 to try draft resisters. This despite the fact that Jehovah's Witnesses, who refuse to apply for Conscientious Objector status for reasons of conscience, would be obvious candidates for this status if they applied. Quite heavy sentences are also somtimes passed on draft resisters who have publicly stated their firm opposition to any military organization. The sentences passed on other draft resisters in recent months would appear, on the whole, to be lighter than in the past. In some cases defendants have gone on hunger-strike and subsequently been declared unfit for military service and never brought to trial.

In 1976-1977 there appeared to be a move towards imposing heavier sentences on those charged with returning their military papers to the authorities. Until recently, this action was punishable by fines ranging from 400 to 1,000 francs, but, on 2 February 1977, Pierre Dantec was sentenced to three months' imprisonment and five years' deprivation of civic rights for turning in his military papers. This sentence was reduced to a fine of 400 francs on appeal in June 1977 by the *Cour d'Appel* in Rouen.

Amnesty International worked on 43 cases of imprisoned Conscientious Objectors in the period 1976-1977. These cases are still active at the time of writing.

Amnesty International has also taken action over the use of the death penalty which is still imposed for a wide variety of crimes within both the French civil and military jurisdiction. However, in the period 1976-1977 it has been used only for civil crimes, principally murder committed in conjunction with such felonies as theft, rape, kidnapping and torture.

Under Article 17 of the French Constitution the President of the Republic has the right to pardon convicted people ("*le Président de*

la République a le droit de faire grâce"). In April 1976 President Valéry Giscard d'Estaing defined the application of this right as "right of commutation of sentences for humanitarian motives". Amnesty International has always appealed to the President to exercise this possibility to commute death sentences.

During the past year, Moussa Benzhara, found guilty of murdering and robbing an English tourist couple and also of raping the girl, and Joseph Keller and Marcellin Horneich, found guilty of murdering and robbing an English tourist couple and also of raping the girl, had their death sentences commuted in January 1977. However, Christian Ranucci, a 22-year-old convicted of kidnapping and murdering an 8-year-old girl, had his appeal rejected by the President and was executed on 28 July 1976.

Jérome Carrein, initially sentenced to death in July 1976 after being convicted of attempted rape and murder of an 8-year-old girl, had his sentence set aside by the *Cour de Cassation* in October 1976. He was found guilty in the new trial in the *Cour d'Assises du Nord* on 1 February 1977. Carrein's second appeal to the *Cour de Cassation* was rejected in March 1977 and the President of the Republic refused to exercise his right to pardon despite appeals from many individuals and organizations including Amnesty International. He was executed by guillotine on 23 June 1977. There is also one case, that of Hamida Djandoubi, sentenced to death for murder, rape and torture, where the appeal to the higher court (*Cour de Cassation*) was rejected in June 1977. The case will certainly be referred to the President. There is a third case still being considered by the *Cour de Cassation*.

In 1976 Amnesty International was much concerned by certain actions taken by the French authorities in connection with the visit to France of King Juan Carlos of Spain. A large colony of Basque refugees is resident in the *départments* of the South West, bordering on Spain. As a security measure, before the King's visit, 31 Basque activists were detained by the police in October and held in restricted conditions (*assignations de résidence*) on the Atlantic islands of Ré, Yeu and Belle Ile en Mer. Most were released at the conclusion of the King's visit but 11 were held on the Île d'Yeu for nearly five months after the visit.

German Democratic Republic

Although the German Democratic Republic's authorities consistently deny the existence of political imprisonment in their country,

Amnesty International has been reliably informed that at any one time during 1976-1977 there were several thousand men and women imprisoned in the country for political reasons. There is a relatively high annual turnover of such prisoners: the German Democratic Republic authorities released at least 1,300 to the Federal Republic of Germany (FRG) in 1976 under the "buying-out scheme" (*Freikaufaktion*). This exchange of prisoners against the delivery to the German Democratic Republic of goods such as bananas and coffee has been in operation between the Governments of the two Germanies since 1963-1964. Amnesty International is not in any way involved in any of these negotiations.

The GDR is a signatory to the UN *International Covenant on Civil and Political Rights* which guarantees freedom of thought, conscience and religion (Article 18), expression (Article 19), association (Article 22), the right of peaceful assembly (Article 21) and the right of everyone "to leave any country, including his own" (Article 12). 1976-1977 witnessed a marked increase in the number of GDR citizens who openly advocated that their Government respect these basic rights. Probably as a result there were more arrests for exercising these rights, reaching a climax in November 1976 when more than 100 intellectuals, artists and others signed petitions against the exclusion from the German Democratic Republic of the songwriter Wolf Biermann.

Prominent amongst those speaking up for Biermann was the well-known physicist and dissident Marxist philosopher Professor Robert Havemann. Thirteen years previously Professor Havemann had lost his teaching post at the Humboldt University, East Berlin, and his membership of the Academy of Sciences as a result of his public lectures on the concept of freedom. In November 1976 he was placed under house arrest. His undergraduate daughter Sybille was expelled from the Humboldt University in December 1976. Others arrested from November 1976 on included the writer Jürgen Fuchs and his friends Thomas Auerbach, Thomas Grund, Reinhard Klingenberg, Bernd Markowski and Lutz Rathenow as well as the songwriters Christian Kunert and Gerulf Pannach.

At the time of writing an unknown number of such protesters are still in pre-trial detention in East Berlin and elsewhere; others have lost their jobs, while some were made to recant. Some, including the writer Reiner Kunze and the jazz singer and popular filmstar Manfred Krug have been allowed to emigrate to the Federal Republic of Germany. Those still in pre-trial detention are likely to be charged with one or more "offences" under the more than 20 Articles of the penal code and other legislation—such as "defamation of the

state" (*Staatsverleumdung*) or "incitement hostile to the state" (*staatsfeindliche Hetze*)—which make exercizing freedom of thought, expression, association, assembly and movement in the German Democratic Republic criminal offences.

Another protest which highlighted the human rights situation in the German Democratic Republic brought at least 33 arrests. In August 1976, Pastor Oskar Brüsewitz burnt himself to death on the steps of his church in Zeitz near Leipzig in protest against the oppression of religion and discrimination against young Christians. In their own account of this incident the authorities villified the dead man. Thirty-five German Democratic Republic citizens wrote to the head of state, Erich Honecker, protesting about the official version of the incident. Amnesty International has been reliably informed that among the 35 signatories were Rainer Langenau, Rudi Moldt and Ruprecht Schröter, from East Berlin. They were arrested and held in pre-trial detention. Others had their homes searched.

As in past years, many Prisoners of Conscience in the German Democratic Republic are serving prison sentences under Article 213 of the penal code, which makes "illegal crossing of the frontier" criminal (*ungesetzlicher Grenzübertritt*). Even planning to leave the German Democratic Republic, or helping others to do so, often results in the imprisonment of individual citizens, married couples, or small groups of friends, while the children of such families may be put in a children's home or with foster parents against their parents' wishes. During 1976-1977, people were still trying to escape by road, rail, sea or air despite the heavily fortified frontier with the Federal Republic of Germany. They also tried to escape via neighbouring communist countries such as Czechoslovakia, Hungary and Bulgaria even though these countries invariably return them to detention in the German Democratic Republic.

Release of Prisoners of Conscience in the German Democratic Republic is often arbitrary and unpredictable. Amnesty International groups were thus concerned with varying numbers of German Democratic Republic prisoners at different times during the year—highest total 144—80% of them being new Amnesty International adoption and investigation cases. Two typical examples of Prisoners of Conscience released in 1976-1977 were Ernst Wilhelm and Georgios Bakalios. The former was a physicist who was once editor of a technical journal published by the Academy of Sciences in Berlin. He was first imprisoned in 1964 for allegedly distributing and discussing banned literature with friends. In 1968, he distributed leaflets protesting about the occupation of Czechoslovakia by Warsaw Pact forces. In 1970, he tried to escape from the German Democratic Republic via

Hungary. In 1971 a German Democratic Republic court sentenced him to 8 years' imprisonment on several charges including "incitement hostile to the state". While in Brandenburg prison he protested about various aspects of conditions there. He was punished for trying to educate fellow prisoners and for refusing to do compulsory prison labour. He staged at least one hunger strike in protest about prison conditions and ex-fellow prisoners reported that he had been a source of strength and inspiration. He suffered from a kidney complaint. Two Amnesty International groups adopted him in 1973. After his release in 1976 he expressed his appreciation for the work they had done on his behalf.

Georgios Bakalios was a Greek social worker employed by a church organization in West Berlin. His activities for this organization took him to East Berlin on a number of occasions. In May 1970, he and his elderly father crossed into East Berlin to obtain the necessary transit visas for his parents who were on a visit from Greece. Both men were arrested, but the father was released after 5½ months; in 1972 the son was sentenced to 12 years' imprisonment for alleged espionage. An Amnesty International group adopted him in 1974.

Germany (Federal Republic of)

In the past year Amnesty International has been concerned by possible implications for human rights of some legislation newly introduced in the Federal Republic of Germany in the context of official efforts to deal with terrorist offences.

Articles 131 and 140 of the Penal Code provide that a citizen who produces or distributes written material which "glorifies violence" and a citizen who rewards, consents to, or approves of punishable offences can get up to one years' imprisonment (or a fine) and up to three years' imprisonment (or a fine). Amnesty International is concerned that these laws may in some cases require subjective interpretation of motive and opinion by FRG courts and could be applied in such a way as to enable the imprisonment of authors or publishers for exercising their right to freedom of expression without advocating violence.

Amnesty International has also been concerned about the application of Article 88a which was incorporated into the Penal Code in early 1976. Article 88a allows for up to three years' imprisonment (or a fine) for those involved in the production, distribution or public display of written material advocating or supporting criminal acts contravening the Constitution or endangering the stability and

security of the state. It has provided legal sanction for a series of police raids of mainly left-wing bookshops and printers. Although people have been arrested, to Amnesty International's knowledge no one has yet been imprisoned under this Article.

Since early 1975, a series of laws changing the right to defence have been incorporated into the Code of Criminal Procedure, in connection with incidents during the trial at Stammheim of the Red Army Fraction defendants Ulrike Meinhof, Jan-Carl Raspe, Gudrun Ensslin and Andreas Baader. These laws have considerably affected rights of defence in the Federal Republic of Germany. Defendants may no longer be represented by more than three lawyers (Article 137 of the Code of Criminal Procedure). Lawyers "strongly suspected of participating in the client's crime or of abetting it in any way" may be excluded from the proceedings (Article 138). Several defendants may no longer be defended by the same lawyer (Article 146). A trial may now continue in the absence of defendants who have wittingly placed themselves in a situation in which they cannot follow the proceedings (Article 231).

Official supervision of communications between the defence lawyer and a defendant charged under Article 129a of the Penal Code with "membership of a criminal association" is permitted by Article 148. Further provisions allow up to five years' imprisonment for failure to report the formation of a "terrorist organization" and permit the exclusion of lawyers suspected of conspiring with their clients from any other trial dealing with the same offence.

The most notable use so far made of the new laws altering rights to defence has been in the case of the Red Army Fraction trial at Stammheim. Within a few days of the opening of the trial, all the lawyers defending Andreas Baader were excluded from the case on suspicion of participating in or abetting the crimes of which their clients were accused. One of them, Dr Kurt Groenewold, was subsequently charged under Article 129a of the Penal Code with "support of a criminal association". He was accused of establishing, financing and running an "Information System" between 1973 and 1976 which was said to have provided the Red Army Fraction prisoners at Stammheim with information designed to maintain their "criminal consciousness" as urban guerrillas. He was also accused of supporting and coordinating a hunger-strike by the defendants. Amnesty International is studying his case in the Oberlandesgericht in Hamburg to gain information as to how the 1975 Defence Laws are being interpreted by the courts.

Amnesty International is concerned about the status of Conscientious Objectors to military service in the Federal Republic of

Germany. In September 1976 Amnesty International wrote to President Walter Scheel welcoming proposed changes in the legislation dealing with conscientious objection. According to the bill in question, those not wishing to do miltiary service would no longer have to undergo protracted examination of their motives, as they have had to in the past, in order to be recognized as Conscientious Objectors. Amnesty International urged President Scheel to sign the bill into law and to free all those imprisoned or facing imprisonment for refusing to do military service for reasons of conscience or who had left the country to avoid prosecution for such refusal.

President Scheel did not sign the bill, but in May 1977 the *Bundestag* approved similar legislation making it unnecessary for German citizens to have to satisfy an examination board that they were genuine Conscientious Objectors and permitting those who objected to military service to apply directly for alternative service. Such a law would help prevent the imprisonment of Conscientious Objectors and Amnesty International hoped it would encourage similar moves in other countries which continue to imprison people for refusing to do compulsory service on grounds of conscience. The new law retained compulsory alternative service for Conscientious Objectors and therefore did not alter the situation for those who on religious or political grounds decline to perform either sort of service (for instance, Wolfgang Stengele, Egon Spiegel and Karl-Eugen Kurrer, who had been sentenced for such refusal to between four months' and one years' imprisonment, on whose behalf Amnesty International's Secretary General requested a New Year amnesty on 24 December 1976).

Amnesty International is also concerned about some aspects of prison conditions in the Federal Republic of Germany, particularly regarding solitary confinement and isolation practices. While these practices have affected prisoners in various categories, allegations regarding them have most frequently concerned Red Army Fraction and related prisoners. In April 1977 a number of such prisoners who were detained on charges or court convictions of involvement in acts of terrorism, undertook a hunger-strike in protest against the varying degrees of solitary confinement or isolation in which some of their number were being held. In April 1977 Amnesty International wrote to Federal Minister of Justice Dr Hans Vogel and to Minister of Justice of Baden-Württemberg Dr Traugott Bender about its concern at reports that three Red Army Fraction defendants in Stammheim Prison had been subjected to conditions that endangered their mental and physical health. Amnesty International made reference to the findings regarding the Stammheim prisoners by

officially-appointed doctors and psychiatrists including the chief prison doctor, who had formally expressed fear for the health of the prisoners and advised changes in their conditions of imprisonment.

Shortly afterwards the Baden-Württemberg Government promised certain concessions to the prisoners in Stammheim including permission to use larger rooms and to associate with groups of up to 10 fellow prisoners. It was understood that associated prisoners in other prisons who had joined in the hunger-strike would receive similar privileges. Amnesty International asked for precise information about the conditions of the three prisoners at Stammheim (Andreas Baader, Gudrun Ensslin and Jan-Carl Raspe). In a detailed reply the Federal Ministry of Justice denied that they had been cruelly or inhumanely treated and pointed out that the separation of the Red Army Fraction prisoners from others was indispensable on security grounds. The Ministry stated that, according to the Baden-Württemberg Government, these prisoners were allowed to share cells at night with other prisoners of their own sex; they could spend four hours a day with fellow-prisoners Irmgard Möller and Ingrid Schubert, with whom they were allowed to take exercise and participate in sports; they were permitted frequent visits from their lawyers and others, with the normal visiting time being regularly extended; they might read papers and magazines, view television, listen to the radio and record players and use a library containing more than 2,000 books; and that they were able to make purchases at the prison twice a month and get weekly supplies of fresh fruit.

In June 1977, Amnesty International received news that six prisoners connected with the "2nd June Movement" and charged with terrorist offences had been beaten and otherwise ill-treated after they had refused to cooperate in an identification procedure. On learning this Amnesty International urged the Federal German authorities to allow an immediate independent medical examination in order to establish the facts. The *Polizeipräsident* in Berlin replied that preliminary proceedings had been taken against officials of the Berlin police by the Public Prosecutor's office of the Berlin *Land* Court. They had been charged with causing bodily injury while on duty.

Amnesty International has also interceded in cases of persons facing extradition from the Federal German Republic to countries where they might become Prisoners of Conscience. One such case was that of Vidoje Stanislavljević, a Yugoslav citizen faced with deportation from the Federal Republic of Germany to Yugoslavia after using forged documents to enable him to remain in the Federal

Republic of Germany. He claimed to have been imprisoned twice before in Yugoslavia on charges of "hostile propaganda" and refusing to serve in the armed forces and that he left Yugoslavia after being called up again for military service in May 1976. To date the German authorities appear to have turned down his application to remain in Germany. He has since applied to emigrate to Australia, but the result of his application (which is supported by Amnesty International) is not yet known.

Greece (Hellenic Republic of)

All except one of Amnesty International's adopted prisoners in Greece during the past year have been Jehovah's Witnesses, imprisoned because of their refusal to perform military service.

The only adopted prisoner who was not a Jehovah's Witness was Nicholas Psaroudakis, publisher of the weekly paper, *Christianiki.* He was sentenced to 16 months' imprisonment in March 1976 on a charge of "insulting the authorities" in an article criticizing a Supreme Court decision which exonerated ministers who had served under the former military dictatorship. The sentence was reduced to four months in June 1976, and Nicholas Psaroudakis was released after serving the full sentence.

The average sentence passed on Conscientious Objectors in Greece, all of whom are Jehovah's Witnesses, is four-and-a-half years. In December 1976, however, Andreas Dedotsis, who has already served one sentence for refusing to perform military service, was sentenced to 10 years' imprisonment. He was one of the prisoners featured in Amnesty International's Prisoners of the Month campaign in January 1977 because of his exceptionally long sentence and because he suffers from arthritis of the toes. His sentence was subsequently reduced to 20 months on appeal.

In June 1976, Amnesty International appealed to Minister of Justice Constantine Stephanakis to do everything possible to ensure a retrial for Nicholas Moundis, who was convicted of murdering an English freelance journalist, Ann Chapman, during the military régime. Ann Chapman's parents believe their daughter was killed for political reasons and that Nicholas Moundis was implicated only because he was a chance witness. He is alleged to have made a confession only as a result of torture and new evidence which has come to light has led to an official investigation of the case.

In December 1976, Amnesty International wrote to Minister of

National Defence, Evangelos Averoff-Tositsas about the reported deterioration of conditions at Ioannina Military Prison, where most Jehovah's Witnesses are held.

In April 1977 Amnesty International published the report *Torture in Greece. The First Torturers' Trial 1975.*

Amnesty International groups are working for the release of 33 Jehovah's Witnesses in Greece.

Hungary (People's Republic of)

During the past year Amnesty International has known of relatively few individual cases of Prisoners of Conscience in Hungary. Section 127 of the Hungarian Penal Code prescribes sentences of up to eight years' imprisonment for acts liable to "incite others (in words or the press) to hatred directed against the state and international relations of Hungary". Preparatory acts of "incitement" are punishable by imprisonment for up to three years. According to official Hungarian statistics published in 1976 covering the previous year, 193 adults had been convicted of incitement (including incitement to violence), 48 of whom received sentences of from 30 days to six months, 71 from six to 12 months, 54 from one to two years and 20 from two to five years.

Amnesty International is investigating the case of Maria Dombovari-Lörincz, a medical doctor from Budapest. Unofficial reports allege that Dr Dombovari was charged in late 1976 or early 1977 under Article 127/6 of the Hungarian Penal Code, which makes persons liable to imprisonment for from six months to five years who "incite hatred against alliance and friendship between Hungary and other countries". On the basis of the information available to Amnesty International it appears that Dr Dombovari had publicly denounced the presence of Soviet troops stationed in Hungary since the events of 1956. Her trial reportedly took place in March, but Amnesty International does not as yet know the sentence.

On the other hand, none of the 34 intellectuals who in late 1976 sent an open letter of solidarity to the signatories of Charter 77 in Czechoslovakia (see *Czechoslovak Socialist Republic*) has, as far as Amnesty International knows, been arrested at the time of writing.

Section 203/1 of the Penal Code prescribes sentences of from six months' to five years' imprisonment for attempts to cross the border without official permission. Amnesty International has adopted

Sandor Rudovics, a 27-year-old shoe factory worker from Szombathely, who with his wife left Hungary in 1973 for Austria, leaving their baby daughter behind. The authorities refused to grant permission for their baby daughter to leave Hungary to join her parents. On 10 October 1974, Sandor Rudovics returned to Hungary and tried to leave the country with his daughter without official permission. He was arrested and sentenced to two years' imprisonment on charges of crossing the frontier illegally. After spending two years in prison, Sandor Rudovics made another attempt to cross the frontier in August 1976. He was rearrested. Amnesty International does not yet know the date of the more recent trial, nor his sentence.

In early 1977, the Hungarian authorities amnestied Father Odön Lenard. Father Lenard was serving a sentence of 18 years' imprisonment for "illegal" pastoral activities. According to a Vatican statement, Father Lenard was the last clergyman imprisoned in Hungary.

In November 1976, according to the Chief Prosecutor of Budapest, K. Csok, 500 former residents of Budapest living in exile were granted a government amnesty according to which none of them would be prosecuted if they were to return before the end of 1976. The amnesty excluded people who had "disclosed state secrets" or "defamed the Hungarian socio-political system".

In October 1976, an amended bill of public complaints became law—an amendment to procedural laws of 1957, 1959 and 1965. This amendment apparently considerably reinforces legal safeguards of the human and civil rights of the individual and envisages more legal protection from prolonged and unjustified administrative procedures on the part of the authorities.

In November 1976, Amnesty International appealed to First Secretary of the Hungarian Workers' Party Janos Kadar to intervene on behalf of an Ethiopian student in Budapest, allegedly under threat of extradition for his political activities against the current régime in Ethiopia. Amnesty International feared that he would face a heavy prison sentence or possibly death if extradited to Ethiopia. Eventually he was expelled from Hungary, but allowed to go to Berlin rather than Ethiopia.

Amnesty International appealed to Mr Kadar in January 1977 to commute the death sentence passed on Imre Miskei, who had been convicted of premeditated homicide. His death sentence was confirmed by the Supreme Court and he was executed on 29 March 1977.

At present Amnesty International has one adoption and one investigation case in Hungary.

Ireland

Developments in the Irish Republic during the past year have required Amnesty International investigation of several areas where the organization has not previously taken an active concern except as regards isolated individual cases. During this period, the Irish Government strengthened existing anti-terrorist legislation. Under the Offences Against the State Act, 1939 and 1972, the police had already been granted extended powers to arrest and detain people suspected of involvement in terrorist activity, trial in special non-jury courts had been provided for and the rules of evidence changed in relation to certain offences. The additional measures introduced in 1976 include the Emergency Powers Act, which enables the police to detain suspects for up to seven days without charge, and which necessitated the Irish Government's declaring a State of Emergency in order to derogate from certain guarantees given in the Constitution. Another additional measure was the Criminal Law Act which, among other things, greatly increases maximum penalties for most offences under the Offences Against the State Act.

During 1976-1977, there has been a marked increase in allegations of maltreatment of those detained by the police on suspicion of involvement in terrorism. Complaints have been made by people subsequently charged with serious crimes, also by a number held for questioning but later released without being charged. Some of the measures introduced appear to have reduced safeguards against maltreatment of suspects.

In June 1977, Amnesty International sent a research mission to Dublin to investigate allegations of brutality to suspects detained under the emergency legislation. The delegates found that previous allegations of maltreatment of suspects in police stations were borne out by the evidence obtained from those detained in 1976 or early 1977. They also found that there had been more cases of alleged maltreatment during the months immediately following the introduction of the Emergency Powers Act in September 1976 (the victims were usually people held for longer than 48 hours) but that there were also a number of cases of alleged maltreatment before the introduction of that legislation, including those of suspects arrested under the Offences Against the State Act who had been detained for longer than the then legal limit of 48 hours. Amnesty International is concerned that those arrested on suspicion of involvement in politically motivated crimes seem to have been systematically ill-treated; and that in most of the cases studied by the delegates this maltreatment was said to have been committed by detectives from central units

in Dublin who travelled to police stations throughout the country expressly in order to extract information and statements from suspects. Amnesty International has submitted its concerns to the Irish Government about the laws relating to police detention and the rights of detainees.

In 1976-1977 Amnesty International thoroughly investigated allegations that Republican prisoners in the maximum security prison of Portlaoise had been ill-treated. In March 1977, 23 prisoners went on hunger-strike in protest about alleged poor conditions in the prison. Amnesty International investigated their complaints by collecting information from prisoners' relatives, lawyers and others. Amnesty International was particularly concerned about allegations that there were "strip" searches and solitary confinement. In April 1977, it urged the Irish Government to initiate an independent public inquiry into treatment of prisoners in Portlaoise. Subsequently the Amnesty International mission to Dublin in June 1977 interviewed a number of recently released inmates of Portlaoise Prison, groups of prisoners' relatives and some lawyers who had clients in the prison. The information obtained corroborated prisoners' complaints of ill-treatment. Following the mission Amnesty International sent details of its findings to the Prime Minister of the Irish Government newly elected in June 1977, again urging that there be a full inquiry into conditions in the prison.

In June 1976 two Irish citizens, Marie and Noel Murray, were sentenced to death for the murder of an off-duty police officer during a bank robbery. They were sentenced under the Criminal Justice Act, 1964, which retains the death penalty for a number of different types of murder, including murder of a police officer acting in the course of duty. There has been no official execution in the Irish Republic for 22 years, and Amnesty International, concerned by what would amount to the re-introduction of the death penalty, organized several National Section campaigns appealing for commutation of the death sentence. After interventions by the membership, Amnesty International's Secretary General went to Dublin in October 1976 to present the movement's arguments against imposition of the death penalty to the Minister for Foreign Affairs, Garrett Fitzgerald.

In December 1976 a member of Amnesty International's Research Department went to Dublin to study the case. That month Noel Murray's death sentence was commuted to life imprisonment by the Supreme Court which also ordered that Marie Murray, convicted of actually firing the shot that killed the police officer, be retried on the charge of capital murder. She was subsequently convicted of ordinary murder and sentenced to life imprisonment in May 1977. Although

there have been no other convictions for capital murder in recent years, Amnesty International remains concerned about the legislation that permits the death penalty. Amnesty International is further concerned because, although the legislation retaining the death penalty provides for trial in an ordinary criminal court, special provisions under other legislation mean that most people charged with capital offences would be tried, as were the Murrays, in a special non-jury court.

Amnesty International has no adopted prisoners in the Republic of Ireland.

Italy (Republic of)

Liborio Filippi, a Conscientious Objector and Amnesty International's only adopted prisoner in Italy during 1976, was released in October that year. Amnesty International has since taken up two more cases of Conscientious Objectors, those of Giuseppe Frusca and Luciano Peroni. Luciano Peroni was arrested towards the end of 1976 and Giuseppe Frusca in January 1977. Amnesty International does not know what sentences they received. Both are known as "total" objectors: that is, they object on political grounds to both military and alternative service. Most Conscientious Objectors in prison in Italy are still Jehovah's Witnesses who refuse on religious grounds both to perform military service and to apply for recognition as Conscientious Objectors and do alternative civil service. A representative of the Jehovah's Witness organization in Italy told Amnesty International in February 1977 that there were probably as many as 337 Jehovah's Witnesses in prison in Italy at that time. The average sentence served appears to be from 12 to 15 months—less than the two year minimum provided by the law. The Ministry of Defence is currently considering proposals which would reduce the period Jehovah's Witnesses must spend in prison. One such proposal under consideration is for Jehovah's Witnesses to receive sentences of three months in prison plus nine months of compulsory civil service, this being part of the sentence. In the past Amnesty International has found it difficult to obtain information about Jehovah's Witnesses in prison in Italy (partly because of their own reluctance for the organization to intervene on their behalf). Now, however, Amnesty International is trying to obtain details about some of those at present detained, with a view to possible adoption. Reports of bad conditions in the military prisons in Italy continue to reach Amnesty International, particularly with regard to the prison of Gaeta, where

some 200 Jehovah's Witness Conscientious Objectors are said to be held.

A Decree Law was passed in April 1977 repealing a law introduced in 1972 which provided for the automatic provisional release of people still in custody awaiting trial after four years' detention. Under the new emergency law pre-trial detention may continue after four years have elapsed if it is thought that the defence has deliberately obstructed the course of justice (choosing of lawyers and juries). This Decree Law will apply particularly to those charged with politically motivated "terrorist" offences. At present Amnesty International has no adopted political prisoners in Italy; but it is concerned by the frequent failure to bring accused people to trial within a reasonable time and is afraid that the new law may exacerbate a situation that is already a cause for concern.

Poland (Polish People's Republic)

During the past year Amnesty International attention regarding Poland was focussed on the complex of allegations and reports of human rights violations which followed workers' strikes and disturbances in the towns of Radom and Ursus, and peaceful assemblies in Lodz and Plock on 25 June 1976 in response to the official announcement of intention to raise food prices.

After the strikes and disturbances more than 2,000 people were arrested, according to unofficial sources. Most were soon released, but by October 1976 over 150 were still imprisoned. The majority (especially in Radom) were convicted of damaging public property, theft and assaulting police officers. Sentences ranged from a few months to 10 years' imprisonment. They were imposed mainly in trials of groups of workers.

Amnesty International was concerned by the numerous allegations that the trial procedures and standards of evidence had, in many cases, been very questionable.

On 22 June 1976, two days prior to the official announcement of the proposed increase in food prices, the Government issued a directive, No.24/76, valid until 30 September 1976. This directive (based on Article 56 of the Local Government Act and Article 70/2 of the Code of Criminal Procedure) simplified procedures of the "people's courts" in the cases of participants in the 25 June disturbances who were subsequently tried.

In more than 20 of these cases investigated by Amnesty International in 1977 convictions were based on "collective responsibility",

rather than identified and proven individual offences. In many cases, witnesses were absent from the trial and their testimonies were read by other people. In some cases, witnesses who were in court, most of them members of the police, submitted testimonies concerning offences allegedly committed by the same individuals simultaneously, yet in different places. Some defendants were charged with acts which in fact were committed hours after they had been detained. Some of the detained workers were allegedly driven in a car around Radom, made to pick up various objects, then charged with theft. (All those charged with theft were released on appeal within a few months, although many of them were fined up to 2,000 *zlotys*.) From all cases reviewed by Amnesty International it appears that defendants with previous convictions were particularly liable to receive heavy sentences, even when the evidence against them was contradictory. Self-incriminating statements used as evidence by the court were allegedly extracted from numerous workers under severe maltreatment. The right of defence was limited—for example it is alleged that the witnesses chosen by the defence were generally not allowed to appear in court, and that the testimony of those who did was belittled by the court. Although the trials were in theory open to the public, in many cases even the defendants' closest relatives were excluded.

Amnesty International was concerned about reports that some strikers and demonstrators may have been convicted solely for having exercised the right of assembly.

Amnesty International has information on more than 80 workers who were severely beaten at the time of their arrest and during interrogations at police headquarters and their subsequent detention. There have been frequent and detailed allegations that some arrested workers were made to run a gauntlet (the "health path") between lines of police armed with truncheons and keys. These and other reports that suspects were badly beaten are supported by details of cases in which individuals sustained serious injuries, including fractures, head injuries and mental disorders.

The workers arrested after the riots and strikes on 25 June 1976 were detained in the prisons of Grojec, Pinczow, Bialystok and Radom. According to numerous reports it appears that many, while in pre-trial detention, were kept for several weeks in overcrowded cells (up to three times normal capacity), sleeping on the floor and fed with bread, jam and coffee.

On 12 January 1977, Amnesty International appealed to the Ministry of Justice to allow the imprisoned workers a fair trial and appeal hearing, also to initiate a thorough public inquiry into the

allegations of maltreatment. However, the Prosecutor General, Lucjan Czubinski, stated that the allegations of maltreatment were false and that persons who submitted complaints were either paid to do so or were criminals. After First Secretary of the Polish United Workers' Party Edward Gierek had formally requested a pardon for the sentenced workers on 3 February 1977, most of the workers were released.

Anxiety at police behaviour has mounted as a result of unofficial allegations that, in Radom especially, for several days after 25 June 1976, the police arrested and beat occasional passers-by. Critics of police practices have drawn attention to the death of Jan Brozyna in Radom several days after the disturbances. They claimed he had been beaten by two policemen who found him lying drunk on a pavement. According to the death certificate, he died of a fractured skull, haemorrhages, haematomea and other injuries caused by a long hard instrument. The authorities, on the other hand, said his death was due to injuries received when falling from a window. The Public Prosecutor promised his widow that the body would be handed over to the family, but this permission was later withdrawn. Mrs Brozyna appealed to the authorities for a full public inquiry into her husband's case. Since then she has reportedly been harassed by members of the police. Fourteen purported witnesses were allegedly detained and threatened with imprisonment if they did not withdraw their statements.

Amnesty International took up the cases of participants of the Workers' Defence Committee who had been arrested. This committee was formed in August 1976 by a group of Polish citizens to publicize the treatment said to have been meted out by the police and judges to workers and to provide them with legal, medical and financial aid. The group was harassed because of its activities, questioned by police, searched, briefly detained and fined for illegally collecting money. Finally in mid-May 1977, 10 members and supporters of the Committee were arrested. The arrests took place shortly after these individuals had appealed publicly to the Polish Government for an independent inquiry into the case of Stanislaw Pyjas from Krakow. He was an active Committee supporter who had died in mysterious circumstances on 7 May 1977. The authorities would not allow an autopsy by an independent group of specialists. However in July the authorities stated that according to an inquiry the death of Pyjas was caused by injuries sustained after falling down a staircase. Committee members arrested were Jacek Kuron, Adam Michnik, the literary critic Jan Josef Lipski, Jan Litynski, Antoni Macierewicz, Piotr Haimski, Miroslaw Chojecki, Seweryn Blumsztajn, Wojciech

Ostrovski and Wojciech Arkuszewski. Amnesty International adopted them as Prisoners of Conscience.

According to a statement by the Prosecutor General's Office, all 10 were suspected of having committed offences of "communicating with hostile organizations abroad" or "disseminating hostile literature". Evidently these accusations relate to the "communiques" on human rights violations in Poland issued by the Workers' Defence Committee throughout the year.

At the end of May, Amnesty International appealed to First Secretary of the Polish United Workers' Party, Edward Gierek and Minister of Justice Jerzy Bafia for the immediate release of these people.

In June 1977 Amnesty International sent a French lawyer, Marc Archambault de Montfort, to Poland to investigate legal aspects of the cases of the arrested members of the Workers' Defence Committee and also those of five workers still imprisoned in Radom and Ursus. He visited the office of the Prosecutor General and the Ministry of Justice in Warsaw, lawyers and members of the Workers' Defence Committee who were not detained at that time. In many respects his findings confirmed Amnesty International's concerns.

On 22 July 1977, Polish National Day, the Polish Government released the nine members of the Workers' Defence Committee and the five workers still imprisoned in connection with the disturbances on 25 June 1976 were also released.

Polish criminal law calls for up to five years' imprisonment for trying to leave the country without official permission. The official Polish statistics for 1975 (published in 1976) state that 288 Polish adults and 55 minors (children up to the age of 17) were tried and sentenced for illegal attempts to cross the border (Article 288 of the Polish Criminal Code). Amnesty International did not, however, take up any new cases of persons imprisoned for this offence in 1976-1977.

Amnesty International is investigating a number of cases in which Polish emigrants who returned to the country for holidays or private visits were imprisoned for committing espionage for a NATO country. In the cases Amnesty International is reviewing, those convicted of espionage were not formally exempted from Polish citizenship when they became citizens of another country; consequently the Polish authorities still considered them Polish citizens. Evidently at least some such persons have been charged with espionage because while still officially regarded as Polish citizens, they had given routine information to the immigration authorities of western European countries —not because of any hard evidence that they had committed espionage

in the usual sense of the word. Amnesty International is investigating the cases of Marian Blotny, a citizen of the Federal Republic of Germany, sentenced to 12 years' imprisonment in 1975 (he had also attempted to help his wife illegally cross the frontier in East Berlin); Wieslaw Smolarz, a Danish citizen, sentenced to six years' imprisonment in July 1975; Eugeniusz Rasakowski, a citizen of the Federal Republic of Germany, sentenced to six years' imprisonment in August 1975; Herbert and Margaret Preiss, citizens of the Federal Republic of Germany, arrested in April 1977. Most of the defendants known to Amnesty International are of German ethnic origin from Poland. Amnesty international fears that their imprisonment may be the result of their having exercised their right (proclaimed in international human rights instruments) to leave their own country. Ludwik Cendrzak, a Warsaw lawyer, who had defended a number of individuals tried for espionage was himself tried for espionage on 3 April 1977 and sentenced to 11 years' imprisonment. Amnesty International is investigating his case.

During the past year Amnesty International has investigated 30 cases and adopted 10 Prisoners of Conscience.

Portugal (Republic of)

The first democratically elected government for over 50 years took office in July 1976 under the Presidency of General António dos Santos Ramalho Eanes.

Major events of 1976-1977 were the joining of the Council of Europe in September 1976 and the signing of the European Convention of Human Rights in October 1976. In April 1977 the death penalty was abolished for military crimes when the code of military justice was brought into line with the April 1976 constitution.

Certain legislative measures which have not apparently yet led to people being imprisoned nonetheless concern Amnesty International; in particular, the revision in July 1976 of Article 411 of the Penal Code to permit sentences of up to eight years' imprisonment for those found guilty of insulting civil or military bodies or members of the Council of the Revolution and the National Assembly.

Amnesty International's Secretary General wrote to the Minister of Justice on 29 June 1976 requesting clarification of various apparent irregularities in judicial procedures including the suspension of *habeas corpus* in the Penal Code (Decree Law 398/74) for cases falling within military jurisdiction. The right to *habeas corpus* was restored for all cases when the military code of justice was revised in

April 1977. In July 1976, Amnesty International wrote to Prime Minister Dr Mário Soares on the occasion of his appointment thanking him for the assurances received in response to disturbing press reports that foreign refugees in Portugal might be deported to their Latin American countries of origin. A report prepared on the initiative of President Eanes was published in December 1976 and partially confirmed allegations of ill-treatment and torture of prisoners between 28 September 1974 and 25 November 1975. President Eanes ordered an inquiry into the torture allegations in December 1976 and since then at least 28 of the 32 officers accused by the inquiry have appeared before the armed forces' higher disciplinary board. In June 1977, 31 of the officers named were allowed to return to duty after a period of suspension. Only Major Otelo Saraiva de Carvalho, former head of COPCON, the special security force which was active from April 1974 to November 1975, remains under house arrest.

Amnesty International investigated several individual cases involving possible imprisonment of Conscientious Objectors and prolonged detention without trial. Partial recognition of the right to conscientious objection to military service (recognized in Article 41 of the 1976 Constitution) is to be codified into a law which (as of June 1977) has not been enacted.

Prolonged pre-trial detention may still occur even though steps are being taken to clear the backlog of cases. Amnesty International wrote to the Minister of Justice on 23 May 1977 requesting an explanation of the case of a student held for 20 months without trial or formal charge. The trial has been announced for mid-July. Amnesty International has no adopted Prisoners of Conscience in Portugal.

The long-awaited trials of ex-PIDE/DGS (the secret police force under Salazar and Caetano) personnel began in October 1976, and between then and January 1977 at least 31 were sentenced to terms ranging from a few months to over seven years' imprisonment. In most cases, however, the sentences have not got to be served, since some pre-trial periods of detention have been deducted. So far only one high ranking ex-PIDE agent has been brought to trial: Senhor Henrique de Sa Seixas, former Commandant of Tarrafal prison camp in the Cape Verde islands, sentenced in January 1977 to seven years eight months' imprisonment. However the verdict was quashed in May 1977 by the Supreme Military Court and a new trial has been ordered on procedural grounds. In January 1977, a law was passed limiting the number and scope of extenuating circumstances which could be taken into account when sentencing ex-PIDE personnel. This was due to the public outcry against the light sentences. However, the

law was contested by a military tribunal and all further trials have been postponed. In April 1977, the Supreme Military Tribunal extended one former agent's sentence from three years nine months' to seven years' imprisonment. It is hoped that trials may soon proceed. Some former PIDE personnel, including at least four high ranking officers, appear to have been released unconditionally, but a handful are still in detention. As far as Amnesty International knows no date has been set for their trial.

Romania (Socialist Republic of)

During 1976-1977 Amnesty International has concentrated on the treatment of members of neo-Protestant sects and participants in Romania's limited human rights movement. There have been allegations that members of the Hungarian minority were imprisoned for expressing dissatisfaction over the way in which their national rights in Romania were treated. Amnesty International heard of no new individual cases similar to Zoltan Kaltos', described in *The Amnesty International Report 1975-1976.* The organization received numerous reports of the imprisonment of ethnic Germans who were arrested for trying to cross the border illegally. Prisoners of Conscience are said often to be falsely charged on pretexts of embezzlement, hooliganism, homosexuality or systematic refusal to work.

Article 3 of the 1948 Law on Religious Confession states: "Nobody shall be persecuted for reasons of faith or lack of faith". However, much of Amnesty International's information about human rights violations in Romania concern restrictions on the freedom of conscience for religious believers.

In 1970, a new decree (No.153/1970) intended to cope with hooliganism and juvenile delinquency became law. According to Article 1 of this decree, members of groups expressing "parasitic, anarchist" attitudes contrary to the socialist system shall be punished. Local authorities used this law to persecute and prosecute those belonging to Baptist, Seventh Day Adventist or Pentecostal sects. In most reported cases persons persecuted in this way were detained only briefly and punished by measures other than imprisonment. In known cases in 1976-1977 several members of these sects were summoned by the police while holding meetings with other believers in their homes. It was alleged that police officials often made them hold Bibles while photographs were taken for use as supporting evidence against them under Decree No.153. They were fined, dismissed from their jobs and further harassed. In 1977 Alexandra Monacu from

Gropeni and several of his friends were fined up to 1,000 *lei* for illegally singing religious songs. S. Dobrescu from Vulca Bai was fined 3,000 *lei* in 1976 for holding religious meetings and L. Olah, a Baptist pastor from Buchin, was fined 1,000 *lei* for unauthorized preaching of the Gospel in 1976. All these believers as well as an undisclosed number of others were charged under Decree No.153.

On 3 and 4 April 1977 Josif Ton, Pavel Niculescu, Radu Dumitrescu, Aurel Popescu (Baptists), Constantin Caraman (Pentecostal) and Dr Silviu Cioata (Seventh Day Adventist) were arrested after they had compiled an extensive report on official treatment of members of neo-Protestant sects in Romania. For more than a week, they were all subjected to daily interrogation including severe beatings and intimidation. Pavel Niculescu reportedly suffered broken ribs as a result of beatings by the Romanian police. The authorities informed them that they would be charged and tried for treason for allegedly sending the report to "hostile foreign agents". However, to Amnesty International's knowledge, they were not formally charged and were released after a few weeks of interrogation. According to some estimates, there are between 50 and 200 neo-Protestant sectarians in prison in Romania. The neo-Protestant community in Romania is estimated at 400,000.

Military service is obligatory in Romania and the law allows no exemptions on grounds of conscience. Amnesty International is at present investigating the case of Ghejan Titu, an Adventist mathematician, sentenced to four years' imprisonment for allegedly refusing to do combatant army service on feast days.

Ian Mocuta, a 35-year-old Seventh Day Adventist, who has been engaged in human rights activities in Romania since the 1960s, was sentenced in 1976 to six years' imprisonment on account of "hostile" activities. He reportedly publicly denounced the treatment of dissidents in Romania. Previously, during 1967-1968, Mr Mocuta was said to have continuously submitted comments on civil and human rights violations in Romania to foreign journalists. In 1968 he was sentenced to six years' imprisonment for his activities. He was amnestied in 1972. In the absence of official legal documents Amnesty International has assigned his case for further investigation.

A Decree on the Press Law of 30 May 1975 further restricts the constitutional rights of believers as well as those of the Hungarian and German minorities in Romania. The Decree states that the Government and Party have exclusive control over the import and export of printed material and makes any Romanian citizen who privately imports religious or other literature liable to prosecution. According to various sources, hundreds of Bibles were confiscated by the

Romanian authorities in 1974. As the printing of Bibles in Romania is very restricted, some believers import them from foreign countries—an offence punishable by law with up to seven years' imprisonment. Amnesty International has received various reports that intimidation of, and administrative measures against, members of the German and Hungarian minorities who have imported a small number of books from Hungary or the Federal Republic of Germany, have increased since 1975.

The Romanian Penal Code makes it an offence punishable by up to three years' imprisonment to cross the border without official permission. Private citizens usually find such permission difficult to obtain. During the past year, Amnesty International learned of several cases of members of the German ethnic minority who were arrested in 1976-1977 while attempting to cross the border without official permission. They were sentenced to imprisonment under Article 245. Rudolf and Aneta Jorgovan decided to cross the frontier to Yugoslavia in August 1976 after applying unsuccessfully for permission to leave the country during the year 1975-1976. They were tried by the district court of Timisoara in November and sentenced to three years' and 18 months' imprisonment respectively. Amnesty International has adopted them as Prisoners of Conscience. A similar case is that of the Götz family, also of German ethnic origin. Johan and Regina Götz with their two children are said also to have attempted to cross the frontier illegally in September 1976 after several unsuccessful applications for permission to leave the country. Having received no legal documents about the case, Amnesty International has assigned it for further investigation.

Amnesty International is greatly concerned about reports describing the treatment of Romanian citizens who apply for permission to leave the country. According to various unofficial sources about 100 individuals of German ethnic origin resident in Transylvania were dismissed from their jobs in the summer and autumn of 1976 after submitting their applications to the authorities. In other cases, the Romanian authorities reportedly formally granted permission to leave the country but have withheld passports for months, during which time the applicants were harassed, intimidated and dismissed from their jobs. It is disturbing to note that many Romanian citizens, who were detained after making unsuccessful attempts to cross the frontier, alleged that they were beaten by the police and kept in cells without proper clothing or sanitary facilities for up to six months before their trials began. Amnesty International has been particularly concerned about grave allegations on conditions of imprisonment in the prisons of Aiud and Gherla.

Article 20 of the Romanian Constitution guarantees all citizens freedom of speech, press and demonstration. Article 29, however, prohibits these rights for acts "hostile to the socialist system" and "hostile to the interests of the working people". Members of the human rights movement which evolved in January 1977 were accused of committing hostile acts against the socialist system and subjected to official repression and harassment. One of the movement's founders, the well-known dissident writer Paul Goma, wrote a signed letter commenting on human rights violations in Romania to the 35 signatory states of the Final Act of the Conference on Security and Cooperation in Europe. This letter, together with another expressing sympathy with the human rights movement Charter 77 in Czechoslovakia, was signed by more than 170 Romanian citizens and published in the foreign press. Shortly after announcing his intention of compiling an extensive report on alleged psychiatric abuses against dissidents in Romania, Paul Goma disappeared from his flat on 5 April 1977, reappearing in May 1977. The authorities have not confirmed his assertion that he was detained, interrogated and maltreated for a month.

On 28 April 1977 Amnesty International's Secretary General appealed to President N. Ceauscescu to initiate a public inquiry into the cases of Paul Goma and other members of the human rights movement who had disappeared under mysterious circumstances. Amnesty International subsequently launched an Urgent Action on behalf of Paul Goma. Many of the 170 people who signed the appeal were reportedly detained, interrogated and sentenced to hard labour after April 1977. It is alleged that some were beaten and/or intimidated in order to make them sign incriminating statements. Among them were prominent Romanian intellectuals including the literary critic Ion Negoitescu and Professor Vlad Georgescu. Stefan Toia, another signatory, was reportedly interned in a psychiatric hospital. Nicolae Dascalu, a teacher of English in Bucharest, was reportedly subjected to daily interrogations lasting up to 18 hours and severe beatings. At the end of April 1977, he reportedly approached the US Embassy in Bucharest to ask for political asylum. This was refused by the US authorities and Mr Dascalu was reported to have been rearrested shortly after leaving the Embassy. Amnesty International has no further information on this case at the time of writing. Private sources allege that although most of the signatories to the human rights appeals were released after weeks of interrogation, some are still detained at the forced labour camps on the Black Sea-Danube canal. It is reported that Vlad Dragoescu, an architect and former political prisoner, has still not reappeared. Prior

to his disappearance the Romanian authorities confiscated his passport which had been issued so that he might marry a Norwegian citizen. At the time of writing, Amnesty International still has no confirmation as to his whereabouts. A few other signatories to the appeals were given passports and put under pressure to leave the country immediately.

On the centenary of Romanian independence in spring 1977 an amnesty for 28,500 prisoners, including political offenders and people imprisoned for attempts to leave the country illegally, was reportedly announced by the Romanian State Council.

In August 1976 the Metropolitan Military Court in Bucharest sentenced two industrial managers, Mr B. Iorgolescu and Mr I. Ilies, to death on charges of economic espionage. Amnesty International appealed in early autumn 1976 to President Ceaucescu to commute the death sentences. In November 1976 President Ceaucescu commuted the death sentences to life imprisonment.

The exact number of political prisoners in Romania cannot be established in the absence of officially disclosed statistics.

In June 1977 Amnesty International was investigating five individual cases in Romania and had adopted three Prisoners of Conscience.

Spain (Spanish State)

During the period covered by this report there have been the most momentous changes in the structure and customs of Spanish society since the Civil War. It is difficult to point to any area of Spanish society which has not been affected by legal or other reform. But while the general picture of the period 1976-1977 is on the whole very encouraging, political life in Spain remains marked by some peculiarly contradictory and depressing features. Nowhere is this more immediately apparent and experienced by the citizen than in the area of human rights.

Because of the immense legal, political and social changes of last year the nature of Amnesty International's concern about the country has been altered; and it has adapted its techniques to cope with the mixture of old and new problems which now exist. This is graphically illustrated by a comparison between the statistics for political prisoners in June 1976 and June 1977. There were approximately 200 political prisoners in Spain in June 1976. As a result of an amnesty in July 1976 and an amnesty and a pardon in March 1977, this figure was reduced by approximately 75%. However, the statistics of prisoner populations should not be considered the sole yardstick

of the human rights situation. This reduction of the numbers of political prisoners has been accompanied by the continued use by police of brutal and gratuitously violent methods when dealing with crowds, often without regard to the crowd's temper or behaviour. This was noticeable for example during the extremely violent clashes in the Basque provinces in May 1977 when there was much shooting, and during the May Day demonstrations in Madrid.

Amnesty International is concerned that in the majority of such incidents the police were not merely reacting to the "violence" of the crowds as had been claimed in defence of police behaviour. For example, in October 1976 in Barcelona, five police officers were brought to trial for mistreating and torturing the leaders of two neighbourhood associations, and a crowd of 200 police, members of the *Brigada de Investigación Social* (BIS), gathered in the passages leading to the court. Counsel for the plaintiffs and members of the press were assaulted, and the judge was obliged to clear the court. To date no action has been taken against the officers concerned. Amnesty International has continued to receive persistent well-attested reports of treatment of detained people which, compared with previous years', did not amount to systematic torture but could better be described as systematically brutal and degrading. The nature of treatment of detainees was in some measure dependent on both the region and the mood of the police force in a given case. Reports of maltreatment tended to increase sharply following acts such as the kidnapping of prominent politicians, the shooting of police officers, or even government-inspired measures, such as the legal recognition of the Communist Party in April 1977.

To sum up—the most disturbing and inconsistent aspect of the human rights situation in Spain during the past year has been the Government's failure to exercise control over the police force, as regards either its dealings with crowds and demonstrations or with individuals who have been arrested and are maltreated, then released without being charged. Police forces acted with all but impunity in such cases.

The present dramatic period of change could be said to have begun with the forced resignation of former Prime Minister Señor Carlos Arías Navarro in July 1976. Senor Arías had been appointed by Generalissimo Franco in January 1974 and his two-and-a-half year tenure produced certain initial reforms, notably the reform of the Law on Association and Reunion in June 1976. This law had previously been one of the major instruments of political repression in Spain. His successor, Señor Adolfo Suarez, embarked immediately on a program of rapid change which he asserted was designed to bring

Spain to a fully democratic state in as short a time as was, in his view, compatible with internal peace.

The Government introduced legislation in the *Cortes* (Spanish parliament) on political reform which was passed after three days of debate in November 1976. It required replacement of the old nominated *Cortes* with a new bicameral *cortes*, elected by direct universal and secret suffrage. A small number of seats in the upper house may be nominated by the King. A referendum was held in December 1976 to ascertain what support there was for political reform and this was won overwhelmingly by those in favour. Elections were held on 15 June 1977 which were won by the centrist party, the Union of the Democratic Center, led by the previous Prime Minister, Señor Adolfo Suarez. A law was introduced to legalize political parties to enable them to contest the elections. By June 1977 all parties, with the exception of certain groups to the left of the Spanish Communist Party (*Partido comunista espanol*—PCE) had been legalized. The legalization of most political parties, especially of the Communist Party of Spain, removed what were traditionally the most frequent legal grounds for detention of Prisoners of Conscience in Spain. At the same time, the National Movement, which for 40 years had been the only permitted political party, was dismantled. In an attempt to meet the growing demands for autonomy of regional groups, commissions have been established to examine the problem with special reference to Catalonia and the Basque provinces. Within the Government itself limited but important reorganization of the police and armed forces has been ordered.

New press laws have been introduced and a complete reform of the monolithic official trade union structure is envisaged together with the accompanying legalization of the hitherto illegal independent trade unions. A limited right to strike was granted in March 1977.

There have been many changes in the field of criminal law which are of direct interest to Amnesty International. The specially created Tribunal of Public Order (*Tribunal de Ordèn Público*—TOP) which dealt with political crimes was abolished in December 1976. The unification of jurisdiction was decreed, which meant in theory that political crimes, including terrorism, would no longer be tried by military courts. A new superior court, the *Audencia Nacional* would try them under civil law. However, it is too early to tell what the practical effect of this measure will be as, by June 1977, there had been no political trials of great significance which would previously have been conducted by a Council of War under military law.

In April 1977 Spain ratified the International Covenant on Econo-

mic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.

During the past year there have been two amnesties which released numerous prisoners, including Prisoners of Conscience. In July 1976 Amnesty International appealed to the King to grant a general amnesty to commemorate Santiago Day. This was the culmination of a long campaign by many organizations including Amnesty International and individuals dissatisfied by the limited nature of the 1975 pardon granted in honour of King Juan Carlos' accession. Disappointingly, the 1976 amnesty was only partial. Theoretically it ordered the release of all those who had not been involved in "crimes of blood" (*delitos de sangre*) and that all other prisoners should have their sentences reduced by three years. This distinction created bitter discontent among families of political prisoners and references to the frequently arbitrary court judgements under which many of them had been sentenced for alleged acts of violence. A further campaign was launched to secure the unconditional amnesty of all political prisoners. In March 1977, two decrees granted a broader amnesty. The previous July decree was widened to include all those detained for terrorist activities but not directly responsible for causing death or injury. They were pardoned. The remaining prisoners had their sentences reduced by 12 years. It was also envisaged that those still in detention would apply for individual examination of their cases and a Royal Pardon. Nearly all political prisoners have either been amnestied, pardoned, had their sentences reduced or placed on provisional liberty.

This decline in the number of political prisoners has meant a change in emphasis in Amnesty International's work in Spain. There was an immediate drop in traditional adoption work. The focus shifted to the preparation of campaigns against torture, and Amnesty International prepared and distributed in July 1976 a leaflet entitled *Torture in Spain 1976* together with a number of other documents. It also intervened on behalf of detained individuals and even groups, such as members of the *Confederación Nacional del Trabajo/Federación Anarquista Iberica* (CNT/FAI) who were arrested and illegally detained in Barcelona in February 1977. Amnesty International exposed violations of the human rights of professional groups, such as journalists. A paper on violations of the human rights of lawyers is being prepared.

Despite repeated denunciations and allegations of torture, many of them supported by medical evidence, there is as yet no sign that the Government is able either to prosecute the people involved in past cases or to prevent torture from recurring. In the few trials

that have been held, the sentences have been derisory. For example, two police officers tried in March 1977 in Castellón for torturing three men, were sentenced to three days' arrest and ordered to pay compensation of 3,000 *pesetas* (£25) to the victims. The situation is further complicated by the fact that most of the police force, the para-military *Guardia Civil* and the *Guardia Armada* come under military jurisdiction. Only the BIS come under the jurisdiction of civil courts.

The extent to which the security forces can influence even a government which enjoys such a wide measure of support, was aptly illustrated in January 1977 by the Government's suspension of Articles 15 and 18 of the Constitution, which limit the period of detention and restrict the right to search without a warrant. This was done under pressure from the police following terrorist acts committed against a senior army officer, General Emilio Villaescusa and a banker and member of the Council of the Realm, Señor Antonio María de Oriol y Urquijo. It remains of concern to Amnesty International that so far the Government has failed to curb this power.

During the year Amnesty International adopted several Conscientious Objectors, all of whom were released pending a reform of the law. This reform was finally published in January 1977. The decree recognizes only religious grounds for conscientious objection and requires three years' alternative service in the public interest: that is, twice as long as the military term of duty. Eleven fresh arrests of Conscientious Objectors were reported in May 1977. They have all been adopted by Amnesty International.

Sweden (Kingdom of)

Jonas Linderholm, one of two Conscientious Objectors whose cases were adopted by Amnesty International in 1976, was released in May 1976 after he had been on hunger-strike for 18 days. He served half his two month sentence. Mats Amvall, the only other adoption case, was released in October 1976, after serving a two month sentence, his third and last term of imprisonment for refusal to perform military service. Amnesty International has taken up very few cases of Conscientious Objectors in Sweden because of the short sentences and difficulty in ascertaining when a Conscientious Objector will enter prison. There is often a long delay between sentencing and entering prison. However, it is estimated that about 800 persons a year are sentenced to between one and three months' imprisonment for refusal to perform military service. Although there is provision in Swedish law

for alternative service, applicants may be turned down, if for example, the reasons for their objections are political or of "questionable" sincerity. Amnesty International does not have statistics on the number of possible Conscientious Objectors rejected, since many of those who go to prison refuse to apply for alternative service. A proposed revision of the law on conscientious objection is at present being discussed by the Government.

Switzerland (Swiss Confederation)

In 1976-1977 Amnesty International expressed its concern for imprisoned Conscientious Objectors in Switzerland.

There is a deadlock in the long debate over the establishment of an alternative civil service. This is partly a result of the need to amend Article 18 of the Swiss Constitution, which provides that every male Swiss citizen is obliged to perform military service, and the failure as yet of the two chambers of the Federal Parliament to agree on a compromise draft amendment to the Constitution. If no compromise is reached, the entire reform program will fail. Even if there is agreement, this would have to be submitted to a national referendum and, if the amendment is approved, the earliest date when alternative civil service could be introduced would be 1980.

Two of the three Conscientious Objectors adopted in 1975, René Buchmann and Serge Lenoir, have still not gone to prison to serve their sentences. A lawyer has told Amnesty International that Serge Lenoir will probably not enter prison until 1978 because of the current overcrowding in Swiss military prisons. Jean-Claude Huguenin-Elie was released in June 1976 after serving an eight months' sentence.

René Buchmann and Serge Lenoir are still under adoption. Amnesty International has not adopted any other cases this year.

Turkey (Republic of)

During the past year arrests and imprisonments have continued of people charged under Articles 141 and 142 of the Turkish Penal Code, which prohibit forming organizations "aimed at establishing the domination of a social class over other social classes" and "making communist propaganda". However, some people awaiting trial were released after the abolition of the State Security Courts on 11 October 1976. All trials of political prisoners were then transferred to civil courts.

Amnesty International still received allegations of torture, and, on 9 February 1977, the Secretary General wrote to the Istanbul Chief Prosecutor welcoming the news that his office was conducting an inquiry into an alleged assault on Pasa Güven, an Istanbul student, while he was in police custody. Pasa Güven was reported to have been taken to hospital as a result of a beating he received. No information has been received to date about the findings of the inquiry, but according to the Turkish authorities Pasa Güven has been released on bail.

In November 1976, the Amnesty International researcher responsible for work on Turkey visited Istanbul, Ankara and Izmir to talk to lawyers and to make inquiries about political prisoners.

In April 1977, a Briefing Paper on Turkey was published. In addition to Amnesty International's usual concerns reference was made to the large number of political murders which have taken place in Turkey over the past two years, for the most part carried out by right-wing commando groups.

It is not known how many political prisoners there are in Turkey. One estimate given in November 1976 was between 600-700, but the number may have decreased since then because of the abovementioned releases, following the abolition of the State Security Courts. All the political prisoners known to Amnesty International are young left-wing activists. Some reports have been received of Kurds imprisoned at Diyarbakir Prison under Article 141, but Amnesty International has not been able to obtain detailed information about these prisoners.

Amnesty International groups are working on behalf of 48 prisoners in Turkey, all of whom have been imprisoned under Articles 141 and 142 for spreading communist propaganda or belonging to illegal organizations.

United Kingdom (of Great Britain and Northern Ireland)

As in previous years, Amnesty International has been concerned about issues other than imprisonment for the exercise of the rights of conscience in the United Kingdom. No prisoners were adopted during the year.

In September 1976 the European Commission of Human Rights ruled that the British Government had used torture on a number of people arrested in Northern Ireland in 1971 when terrorist suspects were first detained without trial there. Amnesty International had come to the same conclusions in its 1972 *Report of an Enquiry into*

Allegations of Ill-Treatment in Northern Ireland. In 1972 the British Government stopped the practices condemned in this report, but in ensuing years there have been numerous allegations of police and army brutality towards suspects and detainees. In 1976, Amnesty International requested an official investigation into two such allegations in Northern Ireland, one involving three Belfast Republicans who alleged that they had been brutally mistreated after being wrongfully detained by members of the Royal Ulster Constabulary, the other involving imprisoned members of the Loyalist Ulster Defence Association who alleged that they were beaten with clubs by warders in Long Kesh Prison. The authorities informed Amnesty International that they were satisfied with the results of internal investigations into the allegations in both cases.

Amnesty International also investigated reports that six Irish prisoners in Albany Prison (in Great Britain) had been severely beaten up by warders after a protest by the prisoners, and then subjected to prolonged solitary confinement, and the loss of much of their remission of sentence. Replies from the United Kingdom Home Office did not dispel Amnesty International's concern in the matter. Amnesty International conducted its investigations and made approaches to the authorities together with two other bodies, the Howard League for Penal Reform and the National Council for Civil Liberties. In February 1977, all three organizations jointly published a 17-page dossier recounting the allegations made by the prisoners and their relatives and the official responses to the same, also listing eight subjects of concern to the three organizations. Besides the disquiet at the allegations that the prisoners had been severely beaten, Amnesty International was most concerned that they had been punished by having to spend several months in solitary confinement, and that according to the Home Office's interpretation of the UK's Prison Rules, there is no upper limit to the length of time a prisoner may be kept in solitary confinement. Amnesty International was also concerned about their physical conditions while in solitary confinement.

Union of Soviet Socialist Republics (USSR)

Strong international interest in human rights violations in the USSR continued in 1976-1977—especially in Prisoners of Conscience. International interest was especially stimulated by the activity of unofficial groups of Soviet citizens which were set up in 1976 and early

1977 to monitor Soviet implementation of the human rights provisions of the Final Act (1975) of the Conference on Security and Cooperation in Europe. International concern consequently tended to focus on matters pertaining to the Helsinki Final Act.

The first Helsinki monitoring group was set up in Moscow in May 1976. Its initial proclamation was signed by 11 human rights activists, including one Prisoner of Conscience, Anatoly Marchenko, and two former Prisoners of Conscience Alexander Ginzburg and Pyotr Grigorenko. By January 1977 comparable groups had been established in other Union Republics of the USSR: the Ukraine, Lithuania, Georgia and Armenia. In addition, sub-groups were set up specifically to monitor the subjects of religious liberty and political abuse of psychiatry in the USSR. Within days of the formation of the Moscow Helsinki monitoring group its chairman, Dr Yung Orlov, was warned by officials that the group's activity was "anti-Soviet" and that its members faced possible prosecution. Harassment of the Helsinki monitors continued throughout 1976 and into 1977. When in January 1977 Dr Orlov was informed that a criminal case was being prepared against members of the Moscow Helsinki monitoring group, Amnesty International's membership urged that none be prosecuted for their activities in the group. However, between February and April 1977, in the midst of intense attacks by the official media on Soviet human rights activists, nine members of the Helsinki monitoring groups in Moscow, the Ukraine and Georgia were arrested and detained for criminal investigation. As of June 1977, they are still in prison, and all have been adopted by Amnesty International as Prisoners of Conscience. In June 1977 two of the arrested members of the Ukraine group, Mykola Rudenko and Alexei Tikhy, were sentenced to seven and 10 years' imprisonment respectively (plus five years' exile in each case) for "anti-Soviet agitation and propaganda". Despite repression and harassment, including confiscation of their working documents and records, the Helsinki monitoring groups in the past year issued some 100 statements (including over 20 comprehensive reports) on various aspects and cases of human rights violations in the USSR. Alongside such traditional *samizdat* sources of information as the journal *A Chronicle of Current Events*, these statements and reports serve as an authoritative source of detailed information on subjects that concern Amnesty International. They document the continuing imprisonment of Soviet citizens for exercizing their rights of conscience, the consistently poor conditions of Prisoners of Conscience in Soviet corrective labour institutions and the continuing misuse of psychiatry to detain Prisoners of Conscience in psychiatric hospitals.

Soviet citizens who exercise rights of conscience in ways disapproved of by the authorities remain liable to persecution. While in 1976-1977 repressive measures short of imprisonment were still by far the most frequently used, nevertheless Soviet citizens were imprisoned for writing, distributing or merely possessing literature critical of the Government's record on human rights, for non-conformist literary activity, for expression of nationalist sentiments, for trying to leave the country without official permission and for expounding religious beliefs more freely than is allowed by the country's restrictive legislation on religion.

As Amnesty International reported last year (*The Amnesty International Report 1975-1976*), almost all Prisoners of Conscience in the USSR are imprisoned under criminal law: they are charged with criminal offences, tried and sentenced, and are generally released on the expiry of their court-imposed sentence unless new charges are brought against them while they are still imprisoned. The only exceptions are in the cases of persons compulsorily detained in psychiatric hospitals on official rulings that they are mentally ill and a danger to society.

Traditionally, most Soviet Prisoners of Conscience have been sentenced to imprisonment after being convicted under articles of criminal law which specifically prescribe imprisonment for the exercize of rights of conscience: for example, "anti-Soviet agitation and propaganda" (Article 70 of the RSFSR Criminal Code), "dissemination of fabrications known to be false which defame the Soviet state and social system" (Article 190-1) and "violation of the laws on separation of church and state and of church and school" (Article 142), according to which it is an offence to teach religion to children "in an organized way".

In 1976-1977 there were fewer known prosecutions for "anti-Soviet agitation and propaganda", while the analogous but less stringent Article against "dissemination of fabrications known to be false which defame the Soviet state and social system" was applied frequently.

For example in June 1976 Pavel Bashkirov, a museum worker from Siberia, was travelling to visit Andrei Tverdokhlebov, the secretary of Amnesty International's Moscow group (who is serving a sentence of exile for this "offence"), when he was searched by police officials and found to be in possession of two issues of the *samizdat* human rights journal *A Chronicle of Current Events*. Pavel Bashkirov was subsequently arrested and charged under Article 190-1. He was tried in September 1976 and convicted for distributing George Orwell's novel *1984*, a verbatim record of an officially-sponsored public meeting in 1966 at which Stalin was criticized

and various *samizdat* works by and about Alexander Solzhenitsyn. He was sentenced to 18 months' imprisonment.

The same Criminal Code Article was used to obtain the imprisonment of two German-origin Soviet citizens, Heinrich Reimer and Lily Furman. Both were among the numerous Soviet Germans who have applied unsuccessfully for permission to emigrate to the Federal Republic of Germany, and both have taken part in the movement of Soviet Germans to obtain the right to leave the country. In the summer of 1976 they were arrested. They were subsequently charged with writing appeals to Soviet and international authorities alleging that Soviet citizens of German origin were victims of discrimination and with circulating lists of Soviet Germans who wished to emigrate from the USSR. At their trial in Kazakhstan in September 1976, no proof was offered that the materials written and circulated by them contained "slanderous falsehoods" but both were found "guilty" and sentenced to terms of imprisonment: Heinrich Reimer to three years and Lily Furman to 18 months.

A further example of application of this "classical" legislation was the case of the poet Yuliya Okulova (whose pen-name is Yuliya Voznesenskaya). She was one of several Leningrad citizens subjected to criminal investigation after slogans appeared on the walls of several public buildings in that city calling, for example, for the freeing of Andrei Tverdokhlebov. She was eventually charged, not with participation in the slogan-writing but with "systematically writing and distributing in written form fabrications known to be false which defame the Soviet state and social system". Among the documents named in the indictment was a collection of poems and drawings which, according to investigation officials, "contained the deliberately false fabrication that freedom of speech, the press and creative art are absent in the USSR". Yuliya Okulova was tried at the end of 1976 and sentenced to five years' exile.

There appeared to be no increase in imprisonment of religious believers during 1976-1977, although many believers of different sects were subjected to various other forms of harassment (administrative fines, public vilification, deprivation of parental rights) for exercising their rights of conscience, and a number were sentenced to imprisonment. Amnesty International received and distributed information about the arrest in July 1976 of several "dissenting" Baptists in Azerbaidzhan for alleged offences against the USSR's legislation on religion. One of them, Pyotr Serebrennikov, was sentenced to five years' imprisonment. He was convicted under the criminal code Article against "violation of the laws on the separation of church and state and of church and school". Specifically, he was convicted of forming an "illegal" religious group, teaching religious

principles to the children of members of his congregation and arranging for the publication of "prohibited" religious literature. He was convicted also of "dissemination of fabrications known to be false which defame the Soviet state and social system", an "offence" which evidently consisted of criticizing official treatment of religious believers. This was the fourth time that Pyotr Serebrennikov, who is 77, had been sentenced to imprisonment.

During the past year, Amnesty International observed also what appears to be greater official readiness to persecute political dissenters through charging them with criminal offences not ostensibly related to the exercise of rights of conscience. For example, Oleg Volkov and Yuly Rybakov, two people arrested for painting political slogans on public buildings in Leningrad in the spring and summer of 1976, were convicted of damaging state property, malicious hooliganism and robbery and sentenced to seven and six years' imprisonment respectively.

Another manifestation of official readiness to charge dissenters with ostensibly criminal rather than political offences was the case of Anatoly Shcharansky, a leading figure in the Jewish emigration movement and a member of the Moscow Helsinki monitoring group. After several years of open human rights activity and frequent periods in detention for minor "offences", Anatoly Shcharansky was one of a number of Jewish activists accused in the Soviet media of "espionage" for the American CIA. Denials by the US authorities and by his friends were strengthened both by what is known about Anatoly Shcharansky's background and by the fact that the accusations in the media treated his open human rights activity as "espionage". He was arrested in March 1977 and in June 1977 was charged with "treason", which carries a minimum 10-year prison sentence. Amnesty International has adopted him as a Prisoner of Conscience.

Another arrested member of the Moscow Helsinki monitoring group, Alexander Ginzburg, has alleged that during a police search, foreign currency was planted in his home as potential evidence to support false charges of "currency speculation". Other Soviet human rights activists have alleged that during searches of the homes of members of the Ukrainian Helsinki monitoring group in December 1976, foreign currency, pornographic postcards and "an old-fashioned rifle" were planted by police. Eventually these people were charged with specifically political "offences".

Another representative case of arrest for exercising the rights of conscience and prosecution for "criminal" activity is that of Mikhail Kovtunenko, a Kiev doctor sympathetic to Ukrainian dissenters. Dr Kovtunenko was arrested in the late summer of 1976 and

apparently charged with "accepting bribes", a charge similar to that brought in the framed case against the Jewish endocrynologist Mikhail Stern, who was sentenced to eight years' imprisonment in 1975 and released in 1977. After Dr Kovtunenko's arrest, the Ukrainian writer Mykola Rudenko (a member of the Ukrainian Helsinki monitoring group and of the Moscow Amnesty International group) issued a statement saying that the real reason for Dr Kovtunenko's arrest was his refusal to give evidence against Mykola Rudenko when the latter was under criminal investigation in the summer of 1976. Dr Kovtunenko was tried in February 1977 and sentenced to 18 months' imprisonment.

There was a significant, possibly related, development after reports of a bomb explosion in the Moscow Metro in early January 1977. Victor Louis, a Soviet citizen who writes for foreign newspapers, but who is believed to "leak" information and "disinformation" from the Soviet authorities in his writings, wrote in a London newspaper that month that official Soviet sources suspected the alleged bombing may have been committed by a Soviet "dissident group". Representatives of virtually all known Soviet human rights groups issued a statement in mid-January 1977 denying any of them had had any connection with the explosion and saying that they all rejected the use of violence. Several former Prisoners of Conscience and human rights activists were questioned by state security officials about the explosion, among them Vladimir Albrecht, acting secretary of the Moscow Amnesty International group, to whom KGB officials alleged that he was a "suspect" in connection with the explosion. Vladimir Albrecht promptly denied this and reported the conversation to journalists. Amnesty International issued a press statement from London expressing its concern at this turn of events.

Amnesty International learned of new cases of Prisoners of Conscience being confined to psychiatric hospitals for political rather than authentic medical reasons in 1976-1977. The membership intervened through Urgent Action techniques, National Section action and adoption work to urge the release of the known victims of psychiatric abuse. One case was that of Alexander Argentov, a participant in an unofficial seminar of Orthodox Christians in Moscow. Police officials told some participants that they regarded the seminar as "anti-Soviet", and a number of them were harassed in various ways. In July 1976, Alexander Argentov, who had no record of psychiatric illness, was confined without warning to a psychiatric hospital in Moscow. In spite of protests by his parents (who are atheists) and friends that he was not mentally ill, he was held there until September and forced to take neuroleptic drugs in

oral form. Like many other Prisoners of Conscience thus detained, Alexander Argentov was told plainly by psychiatrists that he was being detained on account of his non-conformist religious activity rather than for any real illness. Another member of the same Orthodox Christian seminar, Edward Fedotov, was similarly confined to a psychiatric hospital for several weeks in the summer of 1976.

While a number of other Soviet citizens were released during the past year within months of being wrongfully confined to psychiatric hospitals, according to information from the USSR many others have been held in such institutions for years, often with little information being available about the background of their cases or their current treatment. In the past year *A Chronicle of Current Events* listed more than 50 cases of people, many of them previously unknown, who were put in special psychiatric hospitals after being charged under political articles of the criminal law. Still more cases have been supplied by other sources. In the autumn of 1976 a group of Soviet citizens established a "Working Commission to Investigate the Use of Psychiatry for Political Purposes". In March 1977, police searched the home of Alexander Podrabinek, a member of the Working Commission. He subsequently informed foreign correspondents that documentation on some 200 cases of politically-motivated confinement to psychiatric hospitals had been confiscated during the search. In April 1977 Alexander Podrabinek was himself arrested and jailed for 15 days when he went to visit some "dissenting" Baptists in Moscow to obtain information about Alexander Voloshchuk, a "dissenting" Baptist from Gorky who had been confined to a psychiatric hospital.

Other information received from sources in the USSR confirmed earlier Amnesty International reports (see the Amnesty International report *Prisoners of Conscience in the USSR: Their Treatment and Conditions*) that inmates of special psychiatric hospitals in the USSR, both Prisoners of Conscience and the mentally ill, are subjected to frequent ill-treatment. One detailed *samizdat* report by a former Prisoner of Conscience in the Sychyovka special psychiatric hospital (in Smolensk region) stated that beatings of inmates were so common there that administrators and guards told inmates that they would be treated with *kulazin*, an ironic amalgam of the Russian work *kulak*, meaning "fist", and the suffix in the names of many clinical drugs. However, most known Prisoners of Conscience who were ruled mentally ill in the past year were confined to ordinary psychiatric hospitals, where conditions are generally considerably better, rather than to the maximum security special psychiatric hospitals.

In 1976-1977 Amnesty International continued to be concerned by the conditions of sentenced Prisoners of Conscience in the prisons and colonies of the country's corrective labour system. Important new documentation on Vladimir Prison, the country's top security corrective labour institution, had reached Amnesty International by early 1976. Further new details were supplied to Amnesty International by several former inmates of Vladimir Prison, who have left the USSR, including Vladimir Bukovsky and Josepf Meshener, and from comprehensive documents prepared by the Moscow Helsinki monitoring group. In February 1977, Amnesty International prepared and distributed a major dossier on conditions in Vladimir Prison. Areas of particular concern are the prisoners' diet, their exposure to severe punishments (often a danger to their health) for protesting against their treatment and conditions, the wholly inadequate medical treatment given them and their difficult conditions of compulsory labour. Amnesty International also undertook actions on behalf of Vladimir Bukovsky and Yakov Suslensky, two adopted Prisoners of Conscience in Vladimir Prison, when their medical situation gave cause for concern.

Inmates of corrective labour colonies, which according to law are less severe than prisons, are also fed an inadequate diet, given poor medical attention, overworked and subjected to the arbitrary actions of guards and administrators. During the past year Amnesty International intervened at international and membership level on behalf of Dr Sergei Kovalyov, a member of the Amnesty International Moscow group who is currently serving a sentence of seven years' imprisonment for his activity in defence of human rights. Prior to his arrest Dr Kovalyov had been scheduled for a surgical operation which was refused him once he was in prison. His condition deteriorated under colony conditions and was aggravated by hunger-strikes undertaken by him and by disciplinary punishments including further deprivation of food. From the latter part of 1976 Dr Kovalyov requested that he be transferred for surgery to a prison hospital in Leningrad, since he regarded the medical treatment facilities in his colony as inadequate. He was informed by officials that no political prisoner had ever been transferred to the Leningrad hospital for medical treatment and for several months his request was refused. However, in March 1977 he was transferred to Leningrad for observation and surgery, perhaps as a consequence of intense international concern.

Another of the conditions of sentenced Prisoners of Conscience in the USSR is their subjection to official pressure aimed at inducing them to recant their dissident political views and to recognize that

they were "justly" convicted of criminal offences. It has been known for some time that many Prisoners of Conscience have been offered release by way of pardon in exchange for statements of this sort. Officials have frequently taken Prisoners of Conscience away from their places of imprisonment to a prison in the neighbouring regions or even near their homes, where the prisoners have been given exceptionally good treatment in an attempt to persuade them to cooperate with the authorities and obtain their own releases. Several Prisoners of Conscience are known to have accepted these offers and have been released.

In 1977 Amnesty International distributed documentation on one Prisoner of Conscience who did not do so: Paruir Airikian, who in 1976 was taken for approximately two months to a prison in Saransk (the capital of the Mordovian Autonomous Soviet Socialist Republic where he is serving his seven year sentence for Armenian nationalist activities) and later for about the same time to Yerevan, capital of his native Armenia. While in Yerevan Mr Airikian was allowed even to visit his parents in their home, but rather than sign a statement of recantation he wrote an appeal to the UN condemning human rights violations in the USSR. Subsequently his especially good treatment ended and he was returned to his colony in Mordovia by train. The journey lasted several weeks; he was in cramped and unhygienic conditions which are common to the transportion of prisoners in the USSR. At the time of writing Amnesty International is concerned by recent detailed reports according to which Parvir Airikian's health is deteriorating but that nevertheless he has been severely punished for "failure to achieve his work norms".

During 1976-1977, as in previous years, official Soviet media are known to have announced the passing of death sentences in about 30 cases. While most of those so sentenced were convicted of war crimes or offences involving murder, it was learned that one person, Yury Sosnovsky, was executed in early 1977 for economic offences not involving violence, for which he had been convicted in 1975. Mikhail Leviev, another person sentenced to death for economic offences, had his sentence commuted to imprisonment by way of pardon in mid-1976. In recent years Amnesty International has not heard of anyone being sentenced to death for clearly politically-motivated offences. However, in February 1977, a Georgian, Vladimir Zhvania, was sentenced to death after being convicted of bomb attacks in Georgia. According to unofficial sources, he stated that his actions were motivated by opposition to alleged Russification of Georgian public life. Amnesty International urged the Soviet authorities to commute his sentence, but has not heard what happened to him after his trial.

In the preface to its report *Prisoners of Conscience in the USSR: Their Treatment and Conditions*, Amnesty International called upon the Soviet authorities to make Soviet criminal law conform with international human rights instruments by removing those articles which make some internationally-recognized forms of exercising of rights of conscience a crime punishable by imprisonment. As the present report indicates, those articles of criminal law have not been amended and are still being used to imprison Soviet citizens. In June 1977, the draft text of a new USSR Constitution, to replace that of 1936, was made public. Regrettably, the draft of the new Constitution indicates the intention of the Soviet authorities to preserve norms on human rights according to which the rights of conscience may not be exercized in a manner politically unacceptable to the established authorities. Thus, Article 39 of the draft guarantees Soviet citizens full "social, economic, political and personal rights", but sharply qualifies this guarantee by stipulating that exercise of these rights and freedoms must not damage the interests of the state. In 1976-1977, Amnesty International had over 300 Soviet prisoners under adoption as Prisoners of Conscience.

Yugoslavia (Socialist Federal Republic of)

In June 1976, an Amnesty International mission was received by Yugoslav judicial authorities. They discussed questions pertinent to Prisoners of Conscience and other concerns raised by Amnesty International. The delegates were Amnesty International's Secretary General, Clayton Yeo from the International Secretariat and Professor Frits Ruter and Professor Marius Broekmeyer of Amsterdam University. During the visit, which lasted a week, the delegation was able to talk to Dr Ivan Franko, Federal Secretary of Justice; Dr Dusan Cotie, deputy Federal Secretary of Justice; Dr Yuko Gocetic, Federal Public Prosecutor; Dr Vidak Popovic, Prison Adviser to the Federal Secretariat of Justice and other high officials and lawyers. The delegation also visited several Yugoslav prison institutions. Discussion was mostly about the legislation under which prisoners adopted by Amnesty International in recent years were convicted. The delegates stressed that Penal Code Articles 118 (hostile propaganda), 117 (association against the state), 101/1 (endangering the territorial integrity and independence of the state) and 100 (counter-revolutionary attack against the state and social organization) are vaguely defined and that applying them to individuals who exercise their rights of expression in a non-violent manner

contravenes the human rights guarantees incorporated in the Yugoslav Constitution and international human rights instruments. The delegates referred in particular to Prisoners of Conscience, Dr Djura Djurovic, Dr Sime Djodan, Mihajlo Mihajlov and Mirko Vidovic. Of these so far Mirko Vidovic and Dr Djodan were released before the expiry of their sentences (3 September 1976 and 25 December 1976 respectively). Yugoslav officials told the delegates that the draft penal code, then believed nearly to have become law, would retain all the articles about which Amnesty International was concerned. As of June 1977, the new penal code had still not been enacted.

During the past year, Amnesty International heard of prosecutions for "hostile propaganda". Franc Miklavcic, a judge from Ljubljana, was sentenced to five years eight months' imprisonment in autumn 1976 for exercising freedom of expression. The sentence was reduced on the second appeal in 1977 to two years six months' by the Slovenian Supreme Court. The conviction was for "hostile propganda", "endangering the territorial unity of Yugoslavia" and "disclosure of official secrets". The charge of "hostile propaganda" arose from an article of his published in the monthly journal *Zaliv*, printed in Trieste, Italy. In it (citing historical sources) he defended his wartime colleague, the Roman Catholic poet, Edward Kocbek, who had been criticized for an earlier interview in the same monthly journal, in which he had claimed that members of the Yugoslav People's Liberation Front had executed many prisoners of war handed over to Yugoslav partisans by British and US forces in 1945.

Paradoxically, Franc Miklavcic was sentenced to a term of imprisonment whereas Edward Kocbek, who in fact committed the "offence" described in the charges against Franc Miklavcic, was not prosecuted, possibly because of the many international appeals on his behalf. The charge of "endangering the territorial unity of Yugoslavia" arose from Franc Miklavcic's views on socio-economic and human rights issues in Slovenia as expressed in his personal diary found by police in his flat. Four witnesses testified at the trial that these ideas were not exclusive to Franc Miklavcic but were shared by them all. The court evidently did not take into consideration the fact that it was a personal diary and that its contents had not been used publicly. The charge of "disclosure of public secrets" related to the fact that Franc Miklavcic had given Edward Kocbek a copy of a speech by a high-ranking official criticizing the Roman Catholic Church in Slovenia. In September 1976, Viktor Blazic, another Slovenian Catholic intellectual and a follower of Edward Kocbek, was also convicted of "hostile propaganda" and sentenced to four-and-a-half

years' imprisonment, although on the second appeal the Ljubljana Supreme Court reduced the sentence to one year and four months' imprisonment. Viktor Blazic's conviction related to an article by him in *Zaliv* alleging restriction of religious and political freedom in Slovenia.

During the past year, Roman Catholic clergy in Slovenia have also been the subjects of official reprisals because of their outspoken criticism of the official treatment of believers in religion, but as far as Amnesty International is aware these reprisals have been restricted to police harassment, questioning and confiscation of passports. In March 1977, 16 Franciscan priests from Croatia, Bosnia and Hercegovina were reportedly subjected to prolonged interrogations and harassment by the UDBA (the Yugoslav secret police) after having signed a letter to President Husak of Czechoslovakia protesting about the reprisals against Charter 77 signatories. They included Father Sito Coric, Father Bonifacije Barbaric and Father Tihomir Miuc. None were believed to have been detained for long after the interrogation.

On 6 May 1977, after lengthy pre-trial detention without being formally charged, Vitomir Djilas, a 41-year-old lawyer and cousin of the former Vice-President of Yugoslavia, was sentenced to 30 months' imprisonment for a 45-line letter to the official newspaper *Politika* about human rights violations in Yugoslavia. He said that although he had written the letter he had not sent it. Nevertheless he was convicted by the District Court in Titograd of spreading hostile propaganda.

Another example of the application of this Article is that of Mileta Bulat, a 78-year-old pensioner from Kljajicevo. He was sentenced in 1976 by the District Court in Sombor to six years six months' imprisonment (under strict conditions) for writing numerous letters to various authorities criticizing the lack of civil liberties in Yugoslavia.

Evaluating legal documents, such as trial transcripts, was often difficult, as in many instances they were cursory and had been altered after having been approved by the court. As far as Amnesty International is aware, political trials were not recorded verbatim, and often the evidence of witnesses called by legal counsel were to a large extent omitted.

Fresh information was received about the 1974 Zadar trial in which 16 Croatians were sentenced to long terms of imprisonment for allegedly founding a Croatian Liberation Army (HORA) and committing acts of violence. This information supports earlier claims that the charges were not backed by substantial evidence. Many of the defendants were Croatian intellectuals who publicly criticized the Yugoslav Government for what they regarded as its repressive socio-political and cultural policy in Croatia.

Marko Dizdar, a 26-year-old student who was sentenced to 11 years' imprisonment in the Zadar trial, has, according to recently received information, been kept for over a year in solitary confinement. This appears to contradict the Yugoslav Ministry of Justice Office's statement to the Amnesty International mission, to the effect that convicted prisoners may not be kept in solitary confinement for more than 25 days.

During the past year Amnesty International received numerous allegations of harassment, interrogation and imprisonment of Yugoslav migrant workers returning to the country after several years' work in European Economic Community countries. The Yugoslav secret police are said to have intensified their search for workers subscribing to the Yugoslav *emigré* press or associating with Yugoslav *emigré* groups. Those in possession of *emigré* newspapers have frequently been sanctioned by the government. The migrant worker Mr Govan and Father Cvitkovic, for example, were sentenced in 1976 to three and six years' imprisonment respectively for importing publications "hostile" to Yugoslavia. Magdalena Paric, a trained nurse who had worked for several years in Vienna, was arrested on 3 July 1976 while visiting her sick mother in Breko/Bosnia. On 17 September 1976, she was sentenced to six years' imprisonment under Article 109 of the Yugoslav Penal Code, which forbids contact with hostile *emigré* groups. It is believed that this heavy sentence was partly because her brother works for an *emigré* newspaper. Amnesty International has adopted her and Marija Faler, who was originally sentenced to five years' imprisonment (under strict conditions) in 1974 for possessing *emigré* newsletters. The sentence was reduced on appeal in 1976 to two-and-a-half years' imprisonment. Marija Faler was not sent to Slavonska Pozega Prison until early in 1977 as the court gave her permission to stay out to take care of her baby who was born in 1974.

In 1977, the Yugoslav authorities publicly announced that they intended to free several hundred political prisoners by mid-1977. In April 1977, Amnesty International inquired about this impending amnesty and asked for it to include individual Prisoners of Conscience.

During the past year, five Croatian nationalists in Zagreb were sentenced to death for politically motivated acts of violence. In each case the sentence was commuted to 20 years' imprisonment. In July 1976, Vlado Dapcevic, former Secretary General of the Yugoslav Communist Party, considered to be the most influential "Cominformist" (see *The Amnesty International Report 1975-1976*) opponent of the present Yugoslav Government, was sentenced "to death and 65 years' imprisonment" for his "opposition" activities. The death

sentence was immediately commuted to 20 years' imprisonment. Colonel Dapcevic had been resident in Belgium and was supposedly kidnapped by Yugoslav agents while on a trip to Romania in 1975.

Amnesty International continues to use its investigation and adoption technique in Yugoslavia. This program includes more than 100 prisoners.

MIDDLE EAST

Internal political unrest and heightened ideological rivalries between Arab governments over the past year have led to widespread arrests and increased use of the death penalty in certain Middle Eastern countries. The Libyan Government, threatened by growing opposition at home, imposed penalties of life imprisonment and death on political detainees who had up till then been held without trial; and the country witnessed its first executions since 1954. In **Egypt** violent reaction in the form of countrywide demonstrations to the Government's proposal to cut subsidies on basic commodities led to widespread arrests, including arrests of members of opposition parties who were not involved in the demonstrations. Another result was the immediate introduction of repressive legislation to deal with certain categories of demonstrators, strikers and political opponents. Paradoxically, this occurred during the year when three political parties were for the first time legalised.

In **Lebanon**, after the October 1976 ceasefire which brought the civil war virtually to an end, Amnesty International had cause to intervene for the first time in many years after receiving reports that the Arab peace-keeping forces, composed largely of Syrians, had arrested Lebanese and Palestinians for their opposition to, or criticism of, the Syrian intervention. Syria's intervention in Lebanon also exacerbated the continuing ideological rivalry between the two Baathist governments of **Syria** and **Iraq**. Both countries accused the other of instigating acts of sabotage and of fomenting internal unrest, which led to the arrest of Iraqi sympathizers in Syria, as well as the execution of Syrian and Iraqi "agents" in both countries.

Perhaps the most noticeable trend in human rights violations in the Middle East this year, and one of particular concern to Amnesty International, has been the increased use of the death penalty, especially for political offences. In **Libya** and **Bahrain** executions have been carried out for the first time in more than 20 years; in **Libya** two death sentences have been passed, although not carried out yet, simply for membership of an illegal organization. In **Egypt**, where execution is the regular penalty for espionage, there have been a number of death sentences for political murder and political sabotage

(the latter allegedly instigated by Libya). There have been many more executions in **Syria** this year, all for political sabotage, while **Iraq** continues to use the death penalty equally often to "maintain internal security". Although the number of officially reported executions in **Iran** has decreased, the number of political activists allegedly killed in battles with the police has increased. And in **Saudi Arabia** death by stoning or beheading for certain sexual offences (as prescribed by Islamic law) were officially reported for the first time.

Although most known political executions are said to be for "sabotage", "terrorism" or "acts detrimental to the state", the inadequacy of legal safeguards in most Middle East countries raises doubts about the charges brought against those condemned to death. As Amnesty International's information on detention and trial procedures is strengthened, it becomes increasingly apparent that, in general, political detainees fall outside the normal legal framework, and have few, if any, basic legal rights. They are usually held *incommunicado* without access to a lawyer of their own choice; those charged with capital offences are often tried by "Special Courts" which are not bound by normal legal procedures; the trial is usually held *in camera* and executions are often carried out summarily, the right of appeal not being permitted. Such trials are thus a mere formality and verdicts usually a foregone conclusion. In **Iraq** for example, unofficial reports claim that two members of a "Special Court" tribunal who refused to sentence eight men (who were apparently not even present in court) to death were subsequently dismissed from their official and party posts. In **Libya** prison sentences of up to 15 years passed by a "People's Court" were altered by administrative decree to life imprisonment or death.

Where detention and trial procedures are so inadequate, torture is more likely to occur. Reports of the maltreatment of detainees have been received during the year from **Iraq**, **Syria** (first hand reports) the **People's Republic of Yemen (PDRY)**, **Israel**, **Bahrain** and, for the first time, from **Kuwait**. Reports of death under torture have been received from **Iraq**, **Syria** and **Bahrain**. In February, however, there was the welcome news that the Shah of **Iran** had reportedly ordered the abolition of torture in **Iran**. This followed the publication in November 1976 of Amnesty International's Briefing Paper on **Iran** which described, *inter alia*, torture techniques used on political detainees.

The number of individual cases taken up by Amnesty International continues to increase as better information on political imprisonment is obtained. At the time of writing, Amnesty International groups are working on 270 cases in the Middle East. However, compared

with other parts of the world in which the organization works, this number is still small and in no way reflects the extent of political imprisonment in the area. Information on such countries as **Saudi Arabia**, the **Yemen Arab Republic** and certain **Gulf States** is still inadequate. These countries will, however, be given priority as Amnesty International increases its staff in these regions of Middle East research.

This year much effort has gone into sending top level missions to the Middle East, because of the importance of establishing direct contact with governments, introducing and explaining the organization to them, and discussing political imprisonment, detention and trial procedures. Top level missions have been sent to **Libya**, **Egypt** and briefly to **Lebanon** and **Syria**. The positive response of both the Iranian and the Iraqi Governments to requests to send such missions has been particularly gratifying. In both cases, Amnesty International's Secretary General has been able to visit the countries briefly to discuss with high-ranking officials the possibility of sending a fact-finding delegation in the near future. This year for the first time **Iran** has permitted foreign observers to attend a political trial and foreign journalists to interview political detainees (including some Amnesty International adoptees).

An equally important aspect of the organization's work has been its continuing efforts to make people in the Middle East aware of its existence and what it is doing. The high-level mission to **Egypt** this year was used to arrange a press conference in Cairo about Amnesty International's Prisoner of Conscience Year campaign. The mission delegates also had discussions with various interested individuals about the possibility of forming an Amnesty International section or branch in **Egypt**, and with Egyptian and inter-Arab organizations about cooperating with the organization's worldwide work. During the past year, interest in Amnesty International's activities has noticeably increased among individuals and organizations and more people have participated in campaigns, particularly lawyers and legal bodies. The Union of Arab Lawyers, for example, decided to regard 1977 as Prisoner of Conscience Year and to distribute the Amnesty International POC Year petition to all the Arab bar associations.

Amnesty International hopes increasingly to use Arabic in its work. The **People's Democratic Republic of Yemen** Briefing Paper is now available in Arabic, the **Iran** Briefing Paper has been translated into Farsi. Amnesty International groups working for Arab prisoners send letters to Arab governments in Arabic as well as in English and their own languages.

Bahrain (State of)

Numerous people, including many of Amnesty International's former adopted prisoners, were reportedly detained in November 1976, following the murder, of the owner-editor of the conservative weekly magazine *Al-Mawakef*. Although five men were subsequently charged with the crime and brought to trial in December 1976, many others who were arrested remained in prison and to Amnesty International's knowledge have not yet been charged with any offence. At the trial, the prosecution alleged that the defendants were members of the banned left-wing Popular Front for the Liberation of the Arabian Gulf (PFLOAG) and said that the killing was politically motivated and a threat to Bahrain's security. But the three defendants denied this and said that they had acted under the influence of alcohol. On 5 March 1977, the death sentences passed on two of the men were confirmed by the Appeals Court, which at the same time changed the sentence of life imprisonment passed on the third man to that of death. Amnesty International appealed against the sentences, but the three men were executed on 8 March 1977.

In January 1977, Amnesty International received reports that approximately 50 men still in detention were being tortured and that at least two, Mohammed Buchery and Said Alaw'ianati, had died under torture. Other detainees were said to be in hospital as a result of torture. On 11 January Amnesty International appealed to the Prime Minister of Bahrain, Shaikh Khalifa Bin-Sulman al-Khalifa, to intervene personally to protect all those still in prison. An Urgent Action campaign was launched asking for the release of those detainees not charged with any offence and for an immediate investigation into torture allegations.

Amnesty International groups are working on the cases of 19 prisoners in Bahrain.

Egypt (Arab Republic of)

In January 1977, the most serious demonstrations of opposition to the Egyptian Government were countrywide riots lasting two days (18 and 19 January), during which hundreds of buildings were set on fire, about 80 people killed and up to 2,000 arrested. These included lawyers, journalists, students, workers and members of the left-wing National Progressive Unionist Party (one of the three legal political organizations whose transformation into political parties was authorized after elections to the People's Assembly in October 1976).

Following the riots, which were provoked by a Government announcement that subsidies on basic commodities were to be cut, Law 2 of 1977 was introduced. There was a referendum on it on 10 February, and it was approved by the vast majority of the population. According to this law "participation in or incitement of riotous assembly or public disorder" is punishable by life imprisonment with hard labour or lesser punishment. The same penalty is applicable to participation in or intent to establish a clandestine or military organization hostile to the social system, and to "workers deliberately striking by agreement among themselves for the achievement of a common aim which could be damaging to the national economy".

On 8 February, Amnesty International wrote as follows to President Anwar Sadat expressing concern at some of the Articles contained in Law 2, also at some of the arrests which resulted from the riots: "We are very much aware that some of the detainees were arrested for allegedly participating in these demonstrations, during which buildings were damaged or destroyed, and people killed or wounded. We have, however, received reports that many others . . . were not actively involved in the demonstrations but were arrested, reportedly, on the grounds of their political affiliations." The letter pointed out that freedom of expression and opinion and the right to peaceful assembly and association are both guaranteed in the *Universal Declaration of Human Rights* as well as in the *International Covenant on Political and Civil Rights*, to which Egypt is a signatory, and urged that the Egyptian Government reconsider such severe penalties for the above-mentioned offences.

Amnesty International received a reply from the Egyptian Ambassador to London on 22 March and from President Sadat's Chef de Cabinet on 16 May, stating that "All measures taken after the incidents of last January were within the framework of the Egyptian Constitution", that many of those not involved in acts of sabotage had been released and "investigations are continuing to determine the situation of the remaining few" and that the new legislation was "designed to protect life and property".

In a further letter to the Minister of Justice dated 28 April, Amnesty International welcomed the fact that many of those detained had been released, adding: "We believe that several hundred, who were not involved in any acts of sabotage during the demonstrations, and including some who were not even present at the demonstrations, remain in detention without charge or trial. Many of those are reported to be members of political organizations such as the Egyptian Workers' Communist Party, the Egyptian Communist Party, the 8 January Party and the Revolutionary Current. Others

are members of the National Progressive Unionist Party." Amnesty International pointed out that the detention of such people appeared to violate Article 47 of the Egyptian Constitution and Article 19 of the *Universal Declaration of Human Rights*, and asked whether these detainees would be released in the near future or charged and tried.

These matters were pursued by two Amnesty International delegates who visited Egypt in May 1977: Mumtaz Soysal, Professor of Constitutional Law at Ankara University, Turkey, and Vice Chairman of Amnesty International's International Executive Committee, and June Ray of the International Secretariat. During their discussions with the Minister of Justice and the Prosecutor General they were assured that all those not involved in acts of sabotage had full legal rights, including the right to appeal for release in an open court every 30 days, the court's decision being confirmed or vetoed by the President within 15 days. The delegates later attended one such court hearing when three students were appealing for release. On this occasion their appeals for release were refused. The delegates were permitted to visit two lawyers in the Abu Zaabal Prison where 49 people involved in sabotage and 46 arrested for political reasons (all arising from the January riots) were being held. The delegates asked also to visit a student in the Citadel Prison, but arrangements could not be made in time.

Amnesty International is still concerned at reports that many people did not have access to a lawyer or were not informed of the reason for their arrest until two weeks afterwards, also that a number of people were kept in solitary confinement in the Citadel Prison for up to two weeks before being transferred to other prisons. At the time of writing, Amnesty International believes that just over 100 persons are still being detained for membership of illegal political organizations or for allegedly having instigated the riots, although it is reported that 176 people are to be charged and tried for political offences. Amnesty International is investigating these cases.

Throughout 1976 legal proceedings continued against officials responsible for torturing prisoners under the regime of the late President Gamal Abdul Nasser (see *Amnesty International Report 1975-1976*). A number of officials were subsequently convicted, including Salah Nasr, former Chief of Intelligence, who was sentenced to 10 years' imprisonment plus hard labour for ordering the torture of Mustafa Amin.

During the past year there have been seven executions in Egypt. In recent years, most death sentences have been passed on people found guilty of espionage for Israel. This year, however, there have

been two death sentences and one execution for espionage, while with the extreme deterioration of relations between Egypt and Libya, three people, allegedly agents for Libya, were sentenced to death and executed for planting bombs. Three others, also accused of being Libyan agents, were sentenced to death (two *in absentia*) for acts of sabotage committed in 1976. Two people were executed for their parts in an armed attack on Cairo Military Academy in 1974, and one for the attempted assassination of a former premier of the People's Democratic Republic of Yemen. Amnesty International appealed for commutation of the death sentences on humanitarian grounds in all cases.

Amnesty International launched Prisoner of Conscience Year in Cairo on 12 May 1977. This was arranged with the cooperation of the Egyptian Ministry of Information, and hosted by the Union of Arab Lawyers. Amnesty International delegates met Egyptian and Arab organizations including the Egyptian Bar Association, the Afro-Asian People's Solidarity Organization, the International Confederation of Arab Trade Unions and the Union of Arab Journalists. The considerable interest and support in Egypt indicates the possibility of forming an Amnesty International adoption group or National Section in Egypt.

Iran (Empire of)

In November 1976, Amnesty International published a Briefing Paper on Iran, in which it stated that the issues the organization was particularly concerned about in Iran were arbitrary arrest of suspected political opponents, the use of torture, lack of legal safeguards, unsatisfactory trial procedures, executions and unofficial deaths. This publication and the accompanying campaign designed to publicize it provoked an official reaction from the Iranian authorities for the first time in many years. On 29 November 1976 the Iranian Embassy in London put out a statement, in response to the Briefing Paper, which commented generally on its contents but not on specific allegations. In January 1977 Amnesty International was notified that two Iranian newspapers had reported that it was launching an anti-Iranian campaign. In a statement made on 17 January 1977, Amnesty International pointed out that the Briefing Paper on Iran was one of a series of such documents it published and that it "never campaigns against a country or against a government, but only on humanitarian grounds against violations of human rights".

In a letter dated 28 January 1977, which was widely distributed to

Members of Parliament, student unions and commercial firms concerned with Iran in the United Kingdom, the Iranian Embassy in London stated that: ". . . Iran has been made the target of a concerted worldwide campaign of denigration launched by Amnesty International". The letter concluded with an allegation that Amnesty International had a ". . . proven record of political bias against Iran". Amnesty International responded on 2 February 1977 stating that its National Sections were conducting an international campaign against human rights violations in Iran, but pointing out that similar campaigns, which it regarded as an integral and valid part of its work, had publicized human rights violations in many other countries, including the Soviet Union. The statement also referred to a reported Iranian threat to boycott Dutch products, services and organizations, because of an Amnesty International Netherlands Section conference on Iran, held in Amsterdam in February 1977. Amnesty International stressed that this conference was only one event in the international campaign, and the boycott in fact did not take place. Amnesty International also welcomed a Teheran newspaper report that the Shah had ordered the abolition of torture.

In March 1977 Amnesty International's Secretary General was invited to Iran for talks with the Shah and the Prime Minister, Amir Abbas Hoveyda. Although the Iranian authorities only agreed to talk to the Secretary General in his private capacity, issues which concerned Amnesty International were discussed and the Shah said he would be willing to receive suggestions about ways in which judicial procedures in Iran might be improved. The Secretary General appealed to the Shah to release several of Amnesty International's adopted prisoners, including a Kurd, Aziz Yousefi, who was sentenced to life imprisonment in 1959. Mr Yousefi was released in the amnesty to mark the Iranian New Year shortly after the Secretary General's departure from Iran.

In April 1977 Brian Wrobel, a British barrister, attended the trial of 11 political prisoners in Teheran. These prisoners, who were charged with having been concerned with communist groups, received sentences of between three years' and life imprisonment which were later reduced on appeal to between two and 10 years' imprisonment. The trial was significant as it was the first since February 1972 at which foreign observers and journalists were allowed to be present. Mr Wrobel attended the trial in his private capacity, but submitted a report on it to Amnesty International's International Executive Committee.

Four official executions of political prisoners were reported during the year, but in addition the number of political activists reportedly

killed during battles with the police noticeably increased. Six people were sentenced to death on 31 March 1977 for the murder of three religious leaders. Appeals for the commutation of these sentences were made in a letter to Mr Hoveyda and subsequently in a cable addressed to the Shah.

Amnesties of prisoners, including political prisoners, were reported in June, August, October, November and December 1976, and in January, February and March 1977. Most of these amnesties were to mark the 50th anniversary of the Pahlavi dynasty; others were in honour of the Shah's birthday and the Iranian New Year. Reports of the numbers released in each amnesty varied, but according to an announcement published by the official Pars news agency on 27 February 1977, a total of nearly 5,000 prisoners had been freed since the jubilee year began in March 1976. In addition to Mr Yousefi (referred to previously), Amnesty International knows of only three other releases of its adopted prisoners in amnesties during the past year.

The number of political prisoners in Iran is not known to Amnesty International, but Mr Parviz Sabeti, Deputy Director of the National Intelligence and Security Organization (SAVAK), stated in an interview reported by the *Washington Post* on 3 September 1976 that: "In all Iran there are only 3,200 political prisoners". Non-official sources give a much higher figure.

Amnesty International groups are working for 106 prisoners in Iran.

Iraq (Republic of)

Most of the arrests reported to Amnesty International over the past year have been of Kurds. Many of the Kurds who had fled Iraq returned to resume political activities after the March 1975 Iran/Iraq agreement and the declaration of various amnesties. Those who were, or were suspected of being, engaged in such political activities as distributing pamphlets, holding political meetings or forming political organizations have been liable to arrest. By mid-1976 the Kurds were reported to have recommenced guerrilla activities against the Iraqi armed forces. This led to further reports of more arrests of those involved, or suspected of involvement, in acts of sabotage.

Amnesty International is at present working on the cases of 23 Kurds who were allegedly members of a secret political organization belonging to Jalal Talabani's Patriotic Union of Kurdistan, mostly teachers or students arrested in Iraq in late 1975. Seven of the group, however, fled the country to escape arrest, took refuge in Iran and

were arrested by the Iranian secret police (SAVAK) in January 1976 and handed over to the Iraqi authorities. (The Iran/Iraq agreement provides for the extradition from either country of "subversive elements"). In July 1976, these detainees were tried by a revolutionary court and the majority sentenced to six years' imprisonment. Three were sentenced to death (see below). The exact charges against them are not known; the reason given by Iraqi officials is that they had committed "acts detrimental to the state".

From available information it is difficult for Amnesty International to give an accurate estimate of the number of Kurdish prisoners at present detained in Iraq. Reports received concern certain areas only: in Suleimaniya 80 Kurds were reported to have been arrested in May 1977 for supporting the Kurdish revolution, and in Dohuk province more than 130 are reported to have been arrested for the same reason since August 1976. In addition large numbers of Kurds are said to be detained in the south of the country (although many of the Kurdish families who were deported earlier as part of the alleged Arabization plan for certain areas of Kurdistan have now been allowed to return to the north). Kurdish sources claim that up to 60,000 men arrested, following the Iraq/Iran agreement of 6 March 1975, on suspicion of being members of the Kurdish Democratic Party, or the Kurdish armed forces are still being held in detention camps in the south; they also claim that since November 1976 families of those suspected of participating in the renewed fighting in Kurdistan are being separated, with wives and children (but not always all the children) mothers, or sisters being taken to prisons in the southern towns of Nasiriya and Diwaniya. Amnesty International has received the names of 35 families separated in this way.

Amnesty International has also been active on behalf of Talib Al Baghdadi, a lecturer in economics at Baghdad University who disappeared at the end of 1976 after criticizing, to his students, a statement on the economy made by Saddam Hussein, Vice Chairman of the Revolutionary Command Council. For some time there was no news of his whereabouts. Later it was learnt that he had been sentenced to three years' imprisonment. In September 1976 news of the release of a Government "critic" was received: Abdul Sattar Nasir, a young Iraqi writer, adopted by Amnesty International after his arrest in January 1975 for indirectly criticizing the Government in a novel. He was reported released a year later.

Inquiries have continued through Amnesty International's groups, about the former freemasons reportedly arrested in 1973 or 1974 and tried in December 1974 on charges of either being foreign intelligence agents or of belonging to an organization with the aim of

overthrowing the Government. More than 100 were originally arrested, all elderly professional men. The Director of Prisons informed Amnesty International's Secretary General, during the latter's visit to Baghdad in March 1977, that only five were still in prison. According to Amnesty International's information, however, there are at least 13.

During the year, Amnesty International received the names of more than 200 other Iraqis reported to be in prison for political reasons. They are members of the Central Command of the Iraqi Communist Party, the left-wing of the Arab Socialist Baath Party and other left-wing political groups. Further information about them is being sought before taking up their cases with the authorities.

Amnesty International continues to receive reports of the systematic use of torture, but is unable, as yet, to substantiate or disprove them. Some of the Shiis arrested in February 1977 were said to have been tortured, as were several of the Kurds arrested in early 1976 and adopted by Amnesty International. In addition, four 14 to 15-year-old Kurdish schoolboys from Zakho province, arrested for possessing political leaflets, were said to have died as a result of torture during July-August 1976. In January 1977 Amnesty International learnt that, the previous April, Reber Mulla Husain, a 19-year-old Kurd who had been head of the Kurdish Students' Union in Zakho, had died because of ill-treatment in prison. His body when returned to his family was said to have shown signs of torture. Amnesty International groups were asked to write to the Iraqi authorities expressing concern at these reports, and requesting that an independent commission of inquiry investigate both this case and police and security interrogation methods in general.

Amnesty International's greatest cause for concern in Iraq is still the consistently high number of reported executions for political offences. In almost all cases, the trials and executions are conducted in secrecy, which raises doubts as to the legality of the detention and trial procedures, also of the charges brought against the accused.

More Kurds have been reported executed than anyone else. Kurdish exiles claim that several hundred were executed having surrendered to the Iraqi authorities after the declaration, then extension, of amnesties, following the March 1975 agreement. After carefully checking these reports with Kurdish sources, Amnesty International compiled a list of executions of Kurds—giving names when possible—which took place during April and May 1975, after the cessation of hostilities. The list included the names of 12 Kurds who had been executed after surrendering to the Iraqi army, and various groups of Kurds in prison at the time of the March 1975 agreement, who were then executed, many after retrial.

In a letter to President Ahmad Hassan Al Bakr on 28 October 1976, Amnesty International expressed disquiet about these reports, particularly since the Government had, in August, declared a fresh amnesty for Kurds in Iraq and abroad who had not taken advantage of previous amnesties. Amnesty International urged that assurances of safe conduct be given to all those who surrendered under this amnesty. This letter and list were also the subject of a press release.

In early December 1976 Amnesty International was informed that on 23 November four Iraqis, including three Kurds adopted by Amnesty International had been hanged in Abu Ghreib Prison. On 8 December, Amnesty International wrote to President Ahmad Hassan Al Bakr expressing profound concern about these reported executions, and at the lack of basic legal rights accorded to the victims and others in their group: their alleged maltreatment during detention; their trial *in camera* by a revolutionary court; the absence of any appeals machinery. These reports were later taken up by the International Secretariat and by Amnesty International groups with the Iraqi Embassies in their respective countries. All denied that the executions had taken place. On 24 January, however, a Kurdish delegation visiting London on behalf of the Iraqi Government confirmed that the executions had in fact been carried out, and that all four had been found guilty of "acts detrimental to the state".

In January, Amnesty International groups were asked to make inquiries about reports just received that four Iraqis, allegedly members of the Syrian wing of the Arab Socialist Baath Party, had been executed in August 1976. This occurred at a time when the propaganda war between Syria and Iraq was particularly intense, with both countries accusing one another of subversion and acts of sabotage.

Political trials and death sentences are seldom publicized in Iraq, but in February 1977 eight Shii Muslims were officially reported to have been sentenced to death following disturbances on 5 and 6 February in the holy Shii towns of Najaf and Kerbala. An Amnesty International Urgent Action campaign was organized on behalf of those condemned to death. There has, however, been no official confirmation that these executions were carried out.

Baghdad radio and the Iraqi press gave much detailed publicity to the "disturbances", the arrests and ensuing trial. Official sources claimed that Syrian-inspired agitators had caused disturbances during the annual pilgrimage from Najaf to Kerbala; that they had attacked a police station killing one person and wounding several, and that a 16-year-old Syrian boy had been caught attempting to plant a bomb in one of the Shii mosques in Kerbala. On 13 February the Revolutionary Command Council (RCC) issued a decree to set up a special

investigating body, and on 23 February a second decree ordered the establishment of a special tribunal of three Revolutionary Command Council members to try 110 detainees. The tribunal would not be required to follow normal criminal trial procedures, and procedures about the carrying out of executions. According to the Iraqi paper *Ath Thawra* dated 25 February, the court unanimously decided on 23 February to sentence eight to death, 15 to life imprisonment and to acquit 87.

Unofficial sources, however, do not agree with this account, claiming that the government tried to stop the religious procession leaving Najaf (fearing the anti-government, as well as the religious fervour that tends to erupt during the pilgrimage), and that when they failed, they sent tanks, aircraft and army units to fire on the procession 20 kilometers outside Kerbala, causing heavy casualties. In Kerbala itself over 15,000 were said to have been arrested.

These sources also claim that the special tribunal sat for only three to four hours, that the eight later condemned to death were not present at the trial because they had died during interrogation and that two members of the tribunal refused to sentence people to death who were not present in court. (According to official sources, these two were later dismissed from all party and official posts "for negligence in the performance of their party duties . . . " (Baghdad radio 23 March 1977). In addition, the bodies of the eight have not been returned to their families for burial, as is the normal custom. This would seem to indicate that either they died under torture or that they are still awaiting execution. The 15 sentenced to life imprisonment have been taken up by Amnesty International as investigation cases.

Further efforts have been made during the year to send a high level delegation to Iraq to meet members of the Iraqi government and to discuss detention and trial procedures as applied to political prisoners with the appropriate ministries.

In a letter to President Al Bakr of 28 October 1976 Amnesty International pointed out that "one of the problems which faces Amnesty International in regard to Iraq is the apparent refusal of your government to allow access to international and/or humanitarian organizations to visit . . . prisons or to attend trials. This policy makes it difficult for us to evaluate the accuracy and validity of allegations and complaints".

Although a high level mission has not yet been formally agreed to by the Iraqi Government, Amnesty International's Secretary General visited Baghdad for two days in March 1977 to discuss the possibility of the organization sending such a mission in the near

future. The Secretary General received considerable cooperation, and arrangements were made for him to meet the Minister of Justice, the Minister of Labour and Social Affairs, the Director General of Prisons and the President of the Iraqi Bar Association, with whom he discussed detention, interrogation and trial procedures as set out in the penal code. Amnesty International's Secretary General later attended a session of the Criminal Court. He was also invited to discuss individual prisoners by name and to inspect their files. It is hoped that a future high level, fully briefed mission will be able to visit Iraq and discuss at greater length detention and trial procedures as they apply to political prisoners.

Over the past year there has been increasing contact between the International Secretariat and the Amnesty International sections with Iraqi Embassies or visiting Iraqi official delegations. The organization welcomes these opportunities for exchanging views and for discussing matters of mutual concern.

At the end of June 1977 Amnesty International was investigating 36 cases.

Israel (State of) and the occupied territories

The number of prisoners in Israel and the occupied territories convicted for alleged security offences has considerably increased during the past year, leading to what is admitted by the Israeli authorities to be intolerable overcrowding of prisons. Mr Haim Levi, Israel's Commissioner of Prisons, stated, when addressing a meeting of prison officers in February 1977, that there were 3,227 prisoners convicted of crimes against the security of the state, 502 more than in the previous year. With two or three exceptions, all these prisoners are Arabs. In December 1976 nearly 400 Arab prisoners at Ashkelon jail went on hunger strike for six weeks in protest against prison conditions. On 27 January 1977, Amnesty International appealed to the Israeli Attorney General, Professor Aharon Barak, to initiate immediate improvements in prison conditions as recommended by the International Committee of the Red Cross, which had particularly stressed the issue of overcrowding. Although Mr Levi, at the meeting referred to above, gave details of plans to expand prisons, to Amnesty International's knowledge no improvements in prison conditions have yet been made.

In June and July 1976 Amnesty International's Secretary General wrote to Professor Barak about the cases of nine Arab prisoners about which the organization was concerned for various reasons,

including detention without trial, ill health and what appeared to be an excessively long sentence. In October 1976 the Secretary General wrote to Israeli Prime Minister Yitzhak Rabin, referring to previous Amnesty International inquiries into allegations of ill-treatment of Arab prisoners by the Israeli security forces, suggesting there should be an independent investigation of them. He said that this time the organization was concerned at reports in the Israeli press that Jewish common law detainees had been tortured, and asked again for "an independent inquiry into all aspects of this problem, in accordance with the United Nations *Declaration on the Protection of All Persons from Torture and Other Cruel Inhuman or Degrading Treatment or Punishment*".

Further letters were sent to Professor Barak in October and December 1976 expressing concern about the imprisonment or treatment of individual prisoners and in April and May 1977 Amnesty International sent Professor Barak the names of 13 Arab prisoners and one Jewish prisoner, who had been charged with espionage, and asked for an investigation into allegations that they had been tortured.

Throughout the year there were frequent demonstrations against Israeli occupation by the Arab inhabitants of the West Bank, many of the participants being in their early youth. Three Arabs were killed at different times during clashes with the Israeli security forces, including a youth of 15. Amnesty International was told that youths who were arrested during demonstrations were beaten before being released.

In April 1977, Amnesty International received an eye witness account of the injuries inflicted on Arab teacher trainees by members of the Israeli security forces during an incident on the West Bank. Amnesty International wrote to Professor Barak welcoming the news that an inquiry into the incident had been ordered.

Reports that two West German citizens, alleged to be terrorists, had been tortured during interrogation were the subject of a letter sent by Amnesty International's Secretary General to the Israeli Minister of Justice, Mr Haim Zadok, on 17 May 1977. The letter pointed out that the prisoners concerned had been held in solitary confinement for many months, and that 14 months had passed before their families or the West German authorities were informed of their imprisonment. This gave added weight to the allegations.

In September and December 1976, amnesties of Arab prisoners were declared to mark the Islamic festivals of Eid al-Fitr and Eid al-Adha. On each occasion 22 prisoners were reported to have been released in the Gaza strip. It is not known whether any West Bank prisoners were also released, but before the September amnesty

Israeli radio reported that some West Bank prisoners would benefit from it.

Amnesty International groups are working on behalf of 18 prisoners in Israel and the occupied territories.

Jordan (Hashemite Kingdom of)

Amnesty International has no adopted prisoners in Jordan. Reports have been received during the year of arrests, but insufficient information has made it impossible to adopt any of the cases, or to estimate the numbers involved. Amnesty International is, however, continuing to investigate these reports, which include the cases of Palestinians and Jordanians who were arrested for their opposition to the Government's support of the Syrian intervention in the Lebanese civil war.

On 9 July 1976, Amnesty International's Secretary General wrote to King Hussein of Jordan asking for an urgent inquiry into the reported detention of 23 people in Al Jafr Prison. They were believed to have signed a statement made in June 1976 in connection with the Arab League's decision about the dispatch of a peacekeeping force to Lebanon. Amnesty International was informed by the King's secretary on 20 July 1976 that the matter had been referred to the Prime Minister. Amnesty International has since learned that all were later released.

In March 1977 Amnesty International received reports of the arrests of trade unionists. Three men, Musa Kuweider, President of the Textile Trade Union of Jordan, Fathalla Al Omrani, Secretary General of the same union and Ahmad Kjradat, member of the preparatory committee for the Union of Teachers, were arrested in February 1976 for supposedly organizing peaceful strike action. On 25 May 1976 Amnesty International wrote to Minister of the Interior, Suleiman Arar asking about these cases. Amnesty International has since been informed that the trade unionists were released in April, it is believed after spending 14 months in solitary confinement without charge or trial.

On 10 December, Amnesty International wrote to King Hussein urging the commutation of death sentences passed on four people convicted of selling land in the occupied territories to the Israeli authorities. (A decision by the Jordanian Council of Ministers in April 1973 made this a capital offence, considering it high treason, and special courts for trying such offences were set up.) Amnesty International understands that eight death sentences for this offence were passed during the period covered by this report, all believed to be *in absentia*.

On 30 July 1976 and 16 May 1977 respectively, Amnesty International also urged the commutation of death sentences passed on two people for espionage. Amnesty International was informed by the Jordanian Ambassador to London, on 1 September, that the first case had been forwarded to the Foreign Office but no further reply has as yet been received. The organization was informed by the King's secretary, on 26 May, that the second case, that of a Jordanian subject, Mohammed Mahmud Hassan Al Momany, "is being held on a charge of espionage for Israel and for the illegal possession of firearms and explosives". The letter goes on to say that the sentence has not yet been confirmed and "there is a chance Mr Momany's sentence will be commuted".

The only execution known to have taken place during the year was carried out on 18 December on a Palestinian, Khairi Omeir, convicted of taking part in an armed attack on the Intercontinental Hotel in Amman on 17 November.

Kuwait (State of)

In August and October 1976 Amnesty International wrote to the Amir of Kuwait, Sheikh Sabah Al-Salem Al-Sabah, about claims that criminal prisoners in Kuwait's Central Prison were invariably ill-treated and often subjected to torture. The letters contained detailed accounts of the alleged torture and the names of some of the supposed victims. One alleged torturer was also named. On 14 December 1976, a reply to the October letter was received from Mr Saud Nasir Al-Sabah, the Kuwaiti Ambassador in London, in which he stated: "I have been instructed by His Highness the Amir and by my Government to refute categorically those ill-founded allegations". In a letter of 25 March 1977 addressed to the Amir, Amnesty International welcomed the assurance contained in this letter of Kuwait's observance of the principles embodied in the United Nations *Universal Declaration of Human Rights,* but referred to further allegations of ill-treatment which Amnesty International had received, and appealed for an investigation in order to establish "whether incidents have occurred which contravene Kuwait's policies on human rights".

Amnesty International knows of no political prisoners in Kuwait.

Lebanon

The 19 months of civil war in Lebanon, which began in April 1975,

created a situation in which no normal Amnesty International initiatives were possible. Following the ceasefire in October 1976, which brought the fighting virtually to a halt, an Arab peacekeeping force, composed primarily of Syrians, maintained security in the country. From November Amnesty International received reports that many Lebanese and Palestinians were being arrested by the peacekeeping force, and imprisoned in Syria, because of their supposed opposition to the Syrian Government rather than because they constituted a threat to security in Lebanon. Some were arrested for a few days only, others were held for much longer periods. Those arrested included members or associates of the Lebanese branch of the Iraqi Baath Party. Amnesty International learnt the names of five of them. It is not known whether they are still being detained. Another was Rifaat Al Nimr, a member of the Palestinian National Council who was arrested on 17 April and reported released in early May. He is said to have been critical of the Syrian Government's role in Lebanon.

In February 1977 Amnesty International's Secretary General visited Beirut in order to tell the new Government about the organization, and to discuss the security measures designed to restore order in the country. The Secretary General met the Minister of Justice, Farid Raphael, and Minister of the Interior, Saleh Salmane. Neither would confirm the reported arrests, but explained that security was of overriding importance and took precedence over individual civil liberties in such abnormal times when there was strict press censorship, no courts of law, prisons or police force.

Amnesty International's Secretary General also took this matter up with the Syrian authorities (see **Syria**).

Libya (Socialist People's Libyan Arab Jamahiriya)

During the first half of 1977, the most grave development as regards human rights since Colonel Gaddafi came to power in 1969 occurred: the first executions for 23 years were carried out on 22 military personnel and 4 civilians. In addition, all but seven of the 80 or so untried political detainees whose cases Amnesty International had taken up—some of whom had been held without trial since 1973—were brought to court during the year, but the procedures were such that the trials were anything but fair and impartial: the defendants were deprived of their basic legal rights.

Earlier, in October-November 1976, two Amnesty International delegates, Professor Jan Brugman of the Department of Arabic

Studies at Leiden University in the Netherlands and Katrina Mortimer from the International Secretariat visited Libya. They met Colonel Mu'ammar Al Gaddafi (whose official title since March 1977 has been Secretary General of the General People's Congress)—as well as other officials in the Ministry of Foreign Affairs and of the Interior, including the Directors of Police and Military Intelligence, and the Director of Prisons. The delegates discussed Amnesty International's concern at the increasing number of political arrests in Libya, and the serious issue of detention without trial. The delegates also made specific inquiries about the political prisoners Amnesty International had adopted including:

- 23 of the students arrested during university demonstrations in Benghazi in April 1976. In a letter dated 13 October, the Under-Secretary of the Ministry of Foreign Affairs assured Amnesty International that they were being detained and cross-examined according to Libyan legislation, and that those found guilty of any act affecting state security and violating public order would be brought to trial. Amnesty International's delegates were told that all the students had by then been released, but it was never made clear whether this was conditional;
- six Libyan diplomats held without charge or trial. They had been arrested at various times between 1974 and 1976;
- eight Libyans, Occidental Petroleum Company employees, detained without trial since September 1975. Neither they nor their families had been told the reasons for their arrest;
- a group of 40 Libyans arrested in April 1973 accused of being Marxists, Trotskyists or members of the Muslim Liberation Movement. Special inquiries were made about this group because of the length and nature of their detention: they had been acquitted by a criminal court in December 1974 but rearrested by administrative decree on the day of their release. Since then they had been held without trial. Government authorities claimed that they had acted against the principles of the Libyan revolution and were being held lawfully "at the wishes of the people". Their release was conditional on their renouncing their beliefs;
- 22 young Libyans (government employees, teachers, students etcetera) who had been arrested in August-September 1975. Their trial, by a criminal court, was taking place during the delegates' visit, one of whom attended part of the defence hearing. The defendants were charged with belonging to an illegal political organization which aimed to overthrow the Government. This is a capital offence under Article 206 of the penal code, as amended in August 1975. During the adjournment of the hearing the Amnesty International observer was able to talk openly and at length with the defendants. Later Amnesty International learnt that while 12 had been acquitted, 10 had been sentenced to life imprisonment. Amnesty International groups are working on their behalf.

The Amnesty International delegation requested permission to visit prisons (Tripoli and Benghazi Central prisons, and Jdeida Prison outside Tripoli) in order to interview certain specific detainees privately. Although this request was granted by Colonel Gaddafi and the Ministry of the Interior—and all maintained that prison conditions were good—the visits were unfortunately never arranged.

Since the mission to Libya, all but one of these groups of detainees have been tried, but the nature of the trials, and the unexpectedly severe penalties, including a number of death sentences, have increased Amnesty International's concern about the state of affairs in Libya.

First, a group of 75 military personnel (not Amnesty International adoptees) were tried *in camera* by a military court in December 1976 on charges of planning a *coup d'état* in August 1975. On 25 December, 23 were sentenced to death (one *in absentia*) and others to varying terms of imprisonment. Amnesty International cabled Colonel Gaddafi on 18 January urging commutation of these sentences. It later learnt that a second military (appeals) court had increased the number of death sentences. (The total number is not known for sure; some sources claim 33, others 45.)

In January, in accordance with the Protection of the Revolution Law of 1969, the Revolutionary Command Council (RCC) set up a People's Court to try political detainees. The tribunal of such a court, which in this instance was composed entirely of government representatives, is in no way bound by normal trial procedures; all sentences have to be approved of by the RCC, and there is no appeals machinery.

The group of 40 were the first to be tried by the newly-constituted People's Court. Amnesty International tried to obtain permission from the Libyan Ministries of Foreign Affairs and Justice, to send an observer to the trial, but permission was not granted. On 16 February, sentences of between four and 15 years' imprisonment were passed. In March Amnesty International learnt that the RCC had, on 24 February, amended all these sentences: two detainees, Abdul Mabruk Abdul Mawla Al Zoul and Abdul Ghani Muhammad Khanfar, were sentenced to death and all the others to life imprisonment. These were the first death sentences to have been passed for a purely political offence during Colonel Gaddafi's presidency.

Amnesty International cabled Colonel Gaddafi on 21 March expressing serious alarm at this overruling of a court decision by administrative decree, adding that "such disregard of the rule of law constitutes a danger to fundamental liberties and invalidates human and legal rights as guaranteed by the Libyan constitution". This cable was also the subject of a press release, and Amnesty International groups were asked to urge the Libyan Government to commute the two death sentences.

The first executions while Colonel Gaddafi was president were carried out on 2 April; 22 military personnel were the victims. And on 7 April, four civilians convicted of "terrorist sabotage" were publicly hanged in Benghazi. Amnesty International expressed deep shock at these executions in a cable to the Libyan Government on 12 April saying "these mass executions represent a complete departure from practice of the last 23 years without the death penalty being carried out". This too was the subject of a press release and Amnesty International group action.

Although the executions were officially publicized, the trials of the civilians were not. The four civilians were:

- two of the students arrested after the April 1976 university demonstrations, during which a government building was burnt down. One of them had been adopted by Amnesty International. All the students were believed to have been released late in 1976, but between 20 and 30 were rearrested in early 1977 and tried by the People's Court. The others had been sentenced to between eight years and life imprisonment;
- a Libyan and an Egyptian arrested in September 1976 after allegedly planting a bomb in Benghazi port. One or two others were tried with them;
- a fifth man was reported to have had his death sentence commuted. He was one of 11 arrested in 1973 after anti-government demonstrations in Benghazi during which a statue of President Nasser was damaged. The demonstrations took place after the bodies of those killed in a Libyan airliner, shot down by Israel over Sinai, were being brought back to Benghazi.

All 11 cases have now been adopted by Amnesty International.

At the time of writing, none of the other death sentences have been carried out. In an Urgent Action campaign, National Sections and Amnesty International groups were asked to write to the Libyan Government urging commutation of all pending death sentences (believed to be 15).

A report based on the findings of the mission to Libya in October, and on subsequent developments in the country, is being sent to the Libyan Government. In it Amnesty International draws attention to the increase in cases of political imprisonment and detention without trial, and to the inadequacy of legal safeguards. It expresses Amnesty International's concern about accounts of maltreatment of certain political detainees (particularly students and military personnel), some of whom are said to have been subjected to long periods of solitary confinement. The report also expresses grave disquiet about the use of the death penalty during the past year. Recommendations include a request that the Government consider declaring a general amnesty for all political prisoners in Libya during 1977—Amnesty International's Prisoner of Conscience Year—that all those detained should be held in accordance with the Penal Code and Constitution, that they should have immediate access to lawyer and family, be charged and tried soon and that trials should be public and in ordinary courts. As regards the torture allegations, the report recommends the setting up of an independent commission of inquiry into all such allegations, that the results be made public, that those responsible be punished and adequate compensation be made by the Government to the victims. Finally, Amnesty International urges the Government to abolish the death penalty in Libya, or at least reduce the number of offences punishable by death, including that of forming or belonging to illegal political parties.

Amnesty International had 82 cases of adoption in June 1977.

Oman (Sultanate of)

In May 1977 Amnesty International received a report that Murad Abdul Wahab (see *Amnesty International Report 1975-1976*) who was originally imprisoned in Bahrain, but deported to Oman, has been sentenced to 10 years' imprisonment. His case has been taken up by an Amnesty International group.

Amnesty International has no further information about any other political prisoners in Oman.

Saudi Arabia (Kingdom of)

Efforts have continued during the year to establish how many of the 200 political prisoners known by name to Amnesty International were released in the amnesty for political prisoners announced in

April 1975. Forty-four of them had been adopted by Amnesty International. However, no new information has been received during the past year, either about those who were released, or about any who have since been arrested for political reasons.

Executions for criminal offences in Saudi Arabia are rarely publicized, but two executions were widely reported in 1977, either because of the nature of the offences, or because of the method of execution. On 25 February two men were publicly beheaded for indecently assaulting a boy they had kidnapped. The Government had approved the death sentences, it was said, because it wanted to make an example of the men. In March three married men were stoned to death and an unmarried man was beheaded for kidnapping and raping a woman. The crime was considered particularly grave because it had been committed during the Muslim fasting month of Ramadan.

Justice in Saudi Arabia is administered according to Islamic law, which makes certain examples of sexual immorality, such as adultery between two married people, fornication and sodomy, punishable by death, so long as the offence can be proved either by statements from four witnesses to the act, or by the confession of the accused. The traditional punishment is death by stoning for both men and women. These are the first reports of executions for sexual offences, and the first of stonings to death, that Amnesty International has received. Amnesty International is seeking further information about the imposition of the death penalty in Saudi Arabia before this matter is taken up with the authorities.

Syria (Arab Republic of)

Widespread internal opposition to the Syrian military intervention in the Lebanon in June 1976 was the main issue pertinent to Amnesty International's work in Syria during the past year. The serious unrest has been exploited by extremist groups, known as "rejectionists", who are opposed to any form of Middle East settlement. There has been continuous political violence, in Damascus and in other major cities such as Hama, Homs and Aleppo. Some of the deaths and many of the injuries, of both civilian and military, are reported to have been caused by bomb explosions and assassination attempts.

This violence, much of it officially attributed to the Iraqi Government, has led to widescale arrests of extremist elements and other suspected opponents, particularly suspected members or supporters of the Iraqi Baath Party. Amnesty International's Secretary General wrote to President Hafez Assad on 6 October 1976 urging that 33

people arrested on charges of sabotage receive a fair and open trial. Numerous reports of abductions from Lebanon by the Syrian armed forces of both Lebanese and Palestinians have been a source of concern to Amnesty International (see **Lebanon**) and this matter was raised by the Secretary General during a visit to Damascus. Greatly tightened security measures are, at the time of writing, preventing Amnesty International from accurately estimating the number of those arrested since June 1976. However, reliable sources put the total number of political prisoners at 1,000 to 1,500.

The wave of political violence has led to increased use of the death penalty. Twelve executions and six death sentences on counts of sabotage have been reported over the past year. On 6 October 1976 Amnesty International wrote to President Hafez Assad deploring the 27 September public execution of three people, without an open or fair trial, the day after a violent attack on the Semiramis Hotel in Damascus. There were three more public hangings on 6 January 1977 in Damascus and Aleppo, and 10 others were sentenced to varying terms of imprisonment for sabotage. On 5 May 1977, Amnesty International asked President Assad for verification of the reported execution of four men by firing squad on 24 April 1977 following the killing of two members of the Syrian armed forces outside Beirut.

Following Amnesty International's letter of 8 June 1977 asking President Assad to commute six death sentences for sabotage, Amnesty International learned that two of those were carried out by public hanging on 13 June. One sentence was commuted on grounds of the prisoner being under age and three sentences were passed *in absentia*. Amnesty International wrote to President Assad on 17 June expressing its grave concern. One public hanging for assault and murder was reported to have occurred in Damascus on 24 March 1977. On 20 May Amnesty International asked Minister of Justice Adib Nahawi if the report was true. On each occasion Amnesty International asked to be informed of trial procedures.

Long term detention without trial continues to cause Amnesty International considerable concern. At the end of June 1977, 59 cases were under adoption or investigation by Amnesty International. Only one of these, lawyer Zouheir Al Shulak, abducted from Lebanon in April 1970, has been tried; his sentence was completed in 1975. Last year 32 new cases were taken up, nine as full adoptions. These were of people arrested between 1971 and 1975; the majority were supporters of the previous government in power from 1966 to 1970. The 23 investigation cases consist of right-wing Muslim Brethren, Iraqi Kurds and others arrested on suspicion of collusion with Iraq.

Amnesty International has learned that five of its adopted prisoners have been released, one of whom is Ahmad Sheikh Qassem, former member of the Baath Party Regional Command. He was freed at the beginning of November when Amnesty International launched an Urgent Action campaign calling for his release because of his severe heart condition. Minister of Health Madani Al Khiyami subsequently confirmed the release in a letter to Amnesty International dated 23 November. It was reported that some 50 political prisoners were set free then, and a further 150 in April, but Amnesty International does not consider these releases indicate a reduction in the number of political prisoners.

Amnesty International has received news about the adopted former government members still detained without trial in Al Mezze Prison after six years. Amnesty International has been told that family visits are allowed once a month on average. Correspondence and reading material—other than that provided in the prison library—are not permitted. Although there is a prison doctor, sick prisoners are no longer permitted treatment in the adjacent military hospital since the escape of a political prisoner in November 1974. No news has been received of the Amnesty International adopted former head of the Jewish community in Lebanon, Albert Elia. The organization has recently learned that the eight adopted Syrian Kurds, imprisoned without trial since 1973, have been transferred to Al Qalaa civilian prison in Damascus, despite continuous official denials of their imprisonment. Amnesty International is increasing its efforts to obtain their release.

Amnesty International remains most disturbed by allegations of torture from numerous sources. The Secretary General wrote to President Hafez Assad on 20 August 1976 urging him to conduct a personal inquiry into reports received of three deaths as a result of torture. Adel Kayali, a 35-year-old lawyer from Aleppo, is believed to have died on 25 July 10 days after his arrest; Tarik Haidari, also a lawyer from Aleppo, detained with eight other lawyers without trial since early 1975 in Al Mezze, reportedly died in Aleppo in July. Marwan Hadid, a holy man from Hama, imprisoned without trial in Al Mezze since March 1975, is alleged to have died on 23 July. In September Amnesty International Urgent Action and Campaign for the Abolition of Torture groups appealed to the Government for an independent inquiry into seven reported deaths due to torture in 1975 and 1976. In June Amnesty International received two first-hand accounts of torture from released prisoners said to have included electric shocks, beatings with sticks and rubber truncheons and dousing with cold water. The number and consistency of torture

allegations suggests that torture is regularly used as a routine method of interrogation.

On 27 February Amnesty International's Secretary General visited Damascus where he discussed with Dr Haissam Kelani of the Ministry of Foreign Affairs the organization's wish to send a legal delegation to Syria in 1977.

Yemen (People's Democratic Republic of)

Amnesty International groups are currently working on 32 adoption and nine investigation cases, 26 are untried and 15 others have been held for six years or more. News about these prisoners is rarely received, but Amnesty International learnt during the year that ex-members of the Federal Government who were tried in 1968 on charges of "High Treason and Feudalism" and sentenced to ten years' imprisonment, had been expecting to be released this year, since remission of a third of a sentence is normal. Those concerned would have been Nasir bin Abdullah Al Wahidi, ex-Minister of Agriculture and Fisheries, Sultan Nasir bin Aidrus al Kazimi Al Aulaqi, ex-Minister of State for Supreme Council Affairs, and Ali Atif Kalidi, ex-Minister of Health. Instead, their prison status has been altered from that of "convicted" prisoner to that of "untried detainee". (They are held in Al Mansura Prison in Aden.)

Amnesty International also learnt that two of its adopted prisoners were released in August 1976. They were Muzafferali Azimuddin Bukhari and A.A. Chinoy, both Indians with British passports. Mr Bukhari, a chartered accountant, was arrested three times in five years for initially refusing to sign a statement that the bank accounts of certain of his clients were false. The third time he was arrested attempting to leave the country "illegally".

Mr Chinoy, who worked in a travel agency, was arrested in January 1972 as a hostage for his nephew who had fled the country, said to be in debt to a state company. He was charged with evading settlement of debts due to the state, but not tried. Such economic offences in the People's Democratic Republic of Yemen are regarded as offences against the state.

A number of other Amnesty International adopted prisoners featured in various campaigns during the year: Muhammad bin Abdullah bin Awadh Al Aulaqi, an ex-Minister of Finance who was sentenced in 1968 to 15 years' imprisonment, and Saiyid Abdul Hadi Shihab, ex-Commissioner of Internal Security arrested in 1967, were both the subjects of Amnesty International's Prisoner of the

Month campaign. Abdul Malik Ismail Muhammad, ex-Ambassador to Cairo, held without trial since 1975 for allegedly criticizing government policy, was featured in the Prisoner of Conscience Week campaign. And Tawfiq 'Az'azi, a lawyer who disappeared in Aden in March 1972, was included in the "Lawyers in Prison" brochure produced as part of the promotion of Prisoner of Conscience Year.

No response of any kind has been received from the Government of the People's Democratic Republic of Yemen to the numerous inquiries made by Amnesty International groups on behalf of these individually adopted prisoners.

New information has been received about untried detainees who are held in Al Mansura Prison or Al Fatah Camp in Aden. The information is both general and specific. Further details are being sought before taking up the individual cases with the Government. Almost all people detained for political reasons are held without trial, and a considerable proportion appear to be non-Yemeni nationals who are initially arrested and interrogated on suspicion of spying. They remain largely forgotten since their cases are not even brought to the attention of the relevant embassy or consulate in Aden. According to reports received, the nationalities involved include Lebanese, Egyptian, Palestinian, North Yemeni, Syrian, Omani, Eritrean, Somali, Djibouti, Indian, Pakistani, English, American, Danish and Greek.

Security directives for civil servants and students issued in March 1976 give some indication of the Government's very real preoccupation with the threat of espionage and its efforts to prevent the leak of information by severely curbing free expression and association. For example, students are exhorted to avoid discussing any matter other than their studies with expatriate teachers; they are forbidden to have contact with them outside school, or in their houses, or to arrange private tuition with them. Similarly, civil servants are advised not to have contact with foreigners unless for specific business purposes, nor with foreign embassies, by visiting their offices or attending their parties, unless in accordance with Foreign Ministry procedures.

Over the past year Amnesty International has received detailed information about Al Fatah Camp (*Ma'askar Al Fatah*), a detention camp in Aden where political detainees are first taken for questioning and where they may be held for a considerable length of time, without charge or trial. The unhygienic conditions, totally inadequate medical and recreational facilities and meagre food rations as well as the routine maltreatment of prisoners, probably make this one of the worst detention centers in the country. Conditions are certainly far worse than in Al Mansura Prison in Aden, which Amnesty International delegates visited in June 1975 (when permission to visit

other prisons in Aden was not granted). As far as is known, no representatives of any international and/or humanitarian organization, or of any foreign governments, have ever been allowed to visit the prison. A document about this prison is being prepared.

The only death sentences Amnesty International has learnt about —and which were reported on Aden radio—were passed on eight farmers who were tried by a people's court on 20 January on charges of demonstrating on 16 November against a government decision to restrict the consumption, sale and purchase of the narcotic shrub *qat*. Two others were sentenced to ten years' imprisonment. In a cable to President Salem Rubia Ali on 27 January, Amnesty International urged that these sentences be commuted, stressing that freedom of expression was guaranteed in the penal code. Article 65 of the penal code in fact states that: "The death penalty is prescribed for the most dangerous crimes and shall be pronounced only exceptionally when the security of the society requires it and when there is no hope of reforming the offenders". Demonstrating against the Government does not appear to be a capital offence.

It was later learnt that the death sentences were commuted to sentences of between 10 and 15 years' imprisonment, while the original two 10 year sentences were commuted to eight years.

Amnesty International wrote to President Salem Rubia Ali on 15 March welcoming the commutation of the death sentences, but at the same time requesting the release of the 10 farmers, since freedom of expression is a right guaranteed by the *Universal Declaration of Human Rights*, as well as the constitution of the People's Democratic Republic of Yemen. Amnesty International groups are now working on behalf of these 10 prisoners.

Missions: June 1976 to June 1977

Country	*Date*	*Delegate*	*Purpose*
German Democratic Republic	June	Fritz Rüter (Dutch)	talks with government officials
United States of America	July	Edy Kaufman (Israeli)	to give testimony on Uruguay on behalf of Amnesty International to US Congressional Committee
Morocco	July	François Jemoli (French)	to observe a series of trials which took place in Rabat, Settat and elsewhere in relation to an alleged plot in March 1973
Morocco	August	Laurent Hincker (French)	to observe trial of students who had been in detention since 1973, including Amnesty International adopted prisoners
Rhodesia	August/ September	Malcom Smart (International Secretariat)	research and relief mission
Rhodesia	September	Bruce Sumner (American)	to observe trial of Bishop Donal Lamont
Czechoslovakia	September	Henry Goldmann (Austrian)	to observe trial of four dissident musicians
Libya	October	Jan Brugman (Dutch) Katrina Mortimer (International Secretariat)	to meet members of the government, particularly President Gaddafi, to discuss the question of untried political detainees and recent amendments to the Penal Code
Argentina	October/ November	Robert Drinan (American) Lord Avebury (British) Tricia Feeney (International Secretariat)	talks with government officials and research

Canada	October	James Lockyer (British)	observation of Leonard Peltier's appeal against extradition to the United States of America
Czechoslovakia	November	Wolfgang Aigner (Austrian)	to observe trial of four dissident musicians
Ireland	November	Angela Wright (International Secretariat)	research and legal talks re trial of Noel and Marie Murray
Turkey	November	Anne Burley (International Secretariat)	research
Kenya	November	John Humphreys (International Secretariat)	to attend UNESCO General Conference
Spain	November	David Braham (International Secretariat)	research and to meet lawyers of prisoners excluded from the amnesty granted in July 1976
United States of America	December	Arlette Laduguie (International Secretariat)	research
Morocco	January	Jean Hoss (Luxembourg)	to observe trial of 139 *Frontistes*
Kenya/ Tanzania	February/ March	Martin Ennals (International Secretariat)	to participate in Planning of All Africa Conference of Churches. Consultation on situation of refugees in Africa and to meet government officials
Hong Kong	March	Arlette Laduguie (International Secretariat)	research
Iran/Iraq/ Lebanon	March	Martin Ennals (International Secretariat)	to meet the Shah and other officials for discussions about Amnesty International's concerns in Iran. To introduce Amnesty International to the new government in Lebanon. To contact government authorities in Iraq

United States of America	March	Arnt Meyer-Lie (Swedish)	to present AI submission on human rights violations in Ethiopia to US Congressional Committee
Iran	April	Brian Wrobel (International Secretariat)	trial observation
Bangladesh	April	Sean MacBride (Irish) Yvonne Terlingen (International Secretariat)	talks with government officials and research
United States of America	April	Shamsul Bari (Bangladeshi)	to observe trial of Leonard Peltier
United States of America	April is still continuing	Eugenio Velasco (Chilean)	to observe trial of two American Indians facing a mandatory death sentence
Egypt	May	Mumtaz Soysal (Turkish) June Ray (International Secretariat)	talks with government officials and launch of POC Year in Middle East
Mozambique	May	Malcolm Smart (International Secretariat)	to attend Conference on Namibia/Zimbabwe in Maputo organized by UN Committee on Decolonization and Council for Namibia
United States of America	May	Luis Reque (Bolivian)	to observe post-conviction hearing for Wilmington 10
Ireland	June	Douwe Korff (Dutch) Angela Wright (International Secretariat)	to investigate allegations of ill-treatment and to study anti-terrorist legislation
Poland	June	Marc de Montfort (French)	to observe trial of workers in connection with protests in Ursus and Radom against food price rises in June 1976
Tunisia	June	Winfried Hassemer (German)	to attend trial of 23 opposition members

AMNESTY INTERNATIONAL ACCOUNTS, TREASURER'S AND AUDITORS' REPORTS

INTERNATIONAL TREASURER'S REPORT

This report comments only on the International Secretariat element of Amnesty International.

At the Eighth International Council Meeting held on 12-14 September 1975 in St. Gallen, Switzerland, a budget of £460,000 for the year ending 30 April 1977 was adopted and committed by the National sections. The International Council authorized the International Executive Committee to utilize any additional National section contributions which might later be made in excess of the £460,000 committed for the purpose of revizing this budget. Subsequently a revized budget of £492,000 was adopted by the International Executive Committee reflecting additional contributions pledged by National sections.

Due primarily to the rapid growth in the number of adoption groups during the course of the year, which generated more income, the total income for the year amounted to £627,000 (£608,000 excluding publications department revenue) and total expenditure to £539,000. As a result, the net surplus for the year amounted to £88,000, of which £23,000 represents the balance of donations committed to the document centre project.

It should, however, be noted that certain approved posts in the International Secretariat in some instances were unfilled for a significant portion of the financial year, which resulted in the surplus being larger than it would otherwise have been.

During the year, the International Executive Committee introduced a revized salary structure within the International Secretariat and this is reflected in the higher than anticipated expenditure level.

In June 1977, the International headquarters were moved into larger premises in London and the additional rental incurred will be reflected in the accounts of 1977-78 and succeeding financial years. These new premises, which are subject to a lease expiring in May 1980, should adequately accommodate such additional staff as may be required by the International Secretariat during this period.

The cost of renovating the new offices and of certain leasehold improvements and furnishings have been capitalized. These costs have been financed temporarily out of the net surplus for the financial year 1976-77. It is hoped that in due time this expenditure may

be recouped from funds to be raised through the fund-raising operations of the Promotion Department.

The Special Project Fund and the CAT Special Project Fund both continued to fulfil an important part in financing Amnesty International's work. It will be noted from the attached accounts that sums actually expended plus those amounts allocated for projects as yet uncompleted at the close of the financial year amounted in the aggregate to the sum of £84,786. This represents a substantial application of funds in addition to the budget expenditure.

Relief payments to Prisoners of Conscience and their dependant families during the year through the International Secretariat, financed by donations from National sections and by The Prisoners of Conscience Fund, amounted to £125,291, which represents another substantial application of funds additional to the budget expenditure.

Towards the end of the financial year, the Promotion Department, having fulfilled the promotional element of its mandate, moved into the fund-raising work which was planned to round off the Campaign. The Director of the Department, Guy Binsfeld, will make a progress report to the Council at Bad Honnef.

During the year, the International Executive Committee, becoming increasingly concerned at the persistent demands upon the International Secretariat; recognizing that efforts to meet this demand would entail further expansion of staff; further recognizing that staff expansion during the past four years had been significant and always on an ad hoc basis reacting to pressures; and conscious of the necessity to consider whether there is an optimum size of a Secretariat consistent with effectively fulfilling the mandate of the organization, set up a committee drawn from the National sections to consider the problem of growth. This committee, meeting in Cambridge (England) and described as the Cambridge Crash Committee, considered all relevant factors and reported to the International Executive Committee at the July meeting. This Report, with the comments of the International Executive Committee and suggested enabling resolutions (should it be decided to implement recommendations in the Report), will be submitted to the Council at Bad Honnef. It is a thoughtful report, the implication of its implementation requires the most careful consideration of the Council. It affords the opportunity of working out a planned program for a specified period of years. As it indicates a signpost on the road of development of the Organization consistent with thoughts I have expressed in previous Treasurer's Reports, I commend it to the reasoned process of analysis by the Council.

Finally, it is necessary for me to refer to the budget approved for the financial year 1977-78 at the Strasbourg Council which imposed

a ceiling of £750,000 on expenditure. As instructed by the Council, the International Executive Committee framed an expenditure budget within the ceiling provided.

It was pointed out to the International Executive Committee by the International Secretariat that the ceiling on expenditure would not allow for staff increases necessary to implement the programmes required by the Council and necessary to keep pace with the pressures on the International Secretariat. After due deliberation over a number of meetings, the International Executive Committee, taking account of the programmes of the different Departments, decided to frame a budget for 1977-78 in excess of the ceiling imposed by the Strasbourg Council and to seek approval from the Bad Honnef Council to lift the ceiling to enable this expanded budget to be implemented. This expanded budget for 1977-78, together with budgets for 1978-79, 1979-80 and 1980-81, will be presented to the Finance Meeting preceding the Bad Honnef Council by the Chairman on behalf of the International Executive Committee. These budgets should be approached by the delegates in the spirit in which they are presented, namely as a first step towards planning the work of the Organization on a controlled basis.

Kevin T. White
International Treasurer

AUDITORS' REPORT

To the International Executive Committee, Amnesty International:

1. We have examined the balance sheets of Amnesty International as of 30 April 1977 and 1976 and the related statements of income and expenditure, changes in financial position and sources and applications of relief monies for the years then ended (see pages 328-340). Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances, except as explained in paragraph 2 below.
2. As discussed in Note 2 to the accounts, payments of relief monies are destined for persons designated as prisoners of conscience in various countries. Some receipts of relief monies specify either a country or a particular prisoner for whose benefit the cash should be applied. Whilst we are satisfied that relief monies have been paid out, we have no effective means of determining, in all cases, whether or not these funds have been applied to the benefit of specific prisoners of conscience or their families. This problem is inevitable where indirect means of transmitting relief payments must be used to safeguard prisoners' interests. However, we were able to ensure that payments were made to persons whom the International Secretariat have informed us are responsible officers, employees or associates of Amnesty International. These persons accept responsibility for ensuring that relief monies reach prisoners. The International Secretariat has additional sources of information which, it believes, would report back to the Secretariat any significant instances where relief monies, for one reason or another, did not reach prisoners or their families. We are informed that, to date, no such significant instances have been reported and nothing has come to our attention to suggest that prisoners of conscience or their families did not receive relief monies as intended.
3. As explained in Note 1, the accounts of Amnesty International at 30 April 1977 comprise the combined accounts of the International Secretariat and Promotion Department. The scope of our examination was sufficient to enable us to express the opinion in paragraph 4

below on the accounts of Amnesty International, but was not sufficient to enable us to report on the individual accounts of the International Secretariat and Promotion Department, and accordingly we do not express individual opinions thereon.
4. In our opinion, except for the effect of such adjustments, if any, as might have been disclosed had we been able to determine whether or not relief monies paid out have been applied to the benefit of specific prisoners of conscience or their families, the accompanying accounts present fairly the financial position of Amnesty International as of 30 April 1977 and 1976, and the results of its operations, changes in financial position and the sources and applications of relief monies for the years then ended, in conformity with generally accepted accounting principles, consistently applied during the periods.

Arthur Andersen & Co.
London
25 July 1977

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AMNESTY INTERNATIONAL
BALANCE SHEETS–30 APRIL 1977 and 1976

	1977 International Secretariat (Not covered by auditors' report)	1977 Promotion Department (Not covered by auditors' report)	1977 Eliminating entries (Not covered by auditors' report)	1977 Amnesty International (Note 1)	1976 Amnesty International
CURRENT ASSETS:					
Cash, including cash in transit (Notes 2 and 8)	£218,276	£ 47,068	£ –	£265,344	£ 96,362
Debtors and prepaid expenses, net of reserves (Note 3a)	41,187	22,984	–	64,171	34,715
Receivable from The Prisoners of Conscience Fund, net	1,991	–	–	1,991	3,014
Receivable from the British Section, net	–	–	–	–	5,183
Publications stock (Note 3c)	8,013	3,000	–	11,013	4,545
Due from Promotion Department	7,948	–	(7,948)	–	–
Loans to National sections	–	5,061	–	5,061	–
	277,415	78,113	(7,948)	347,580	143,819
CURRENT LIABILITIES:					
Creditors and accrued expenses	91,203	53,972	–	145,175	30,905
Payable to the British Section, net	2,406	–	–	2,406	–
Relief obligations per attached statement (Note 2)	34,120	–	–	34,120	34,681
Special Project funds (Note 6)	34,243	–	–	34,243	19,192
CAT Special Project Fund (Note 7)	13,803	–	–	13,803	10,286
Karen O'Donovan Fund	671	–	–	671	817
Loans from National sections	–	28,539	–	28,539	–
Due to International Secretariat	–	7,948	(7,948)	–	–
	176,446	90,459	(7,948)	258,957	95,881
Net current assets (liabilities)	100,969	(12,346)	–	88,623	47,938
PROPERTY AND EQUIPMENT, net (Notes 3b and 4)	44,020	–	–	44,020	9,601
PAST SERVICE SUPERANNUATION LIABILITY (Note 10)	(9,860)	–	–	(9,860)	(10,440)
Net assets (liabilities)	£135,129	£(12,346)	£ –	£122,783	£ 47,099
Representing–					
ACCUMULATED FUND (DEFICIT):					
International Secretariat accumulated fund	£135,129	£ –	£ –	£135,129	£ 47,099
Promotion Department deficit	–	(12,346)	–	(12,346)	–
Total	£135,129	£(12,346)	£ –	£122,783	£ 47,099

The accompanying notes are an integral part of these balance sheets.

AMNESTY INTERNATIONAL
STATEMENTS OF INCOME AND EXPENDITURE
FOR THE YEARS ENDED 30 APRIL 1977 and 1976

	1977 International Secretariat (Not covered by auditors' report)	1977 Promotion Department (Not covered by auditors' report)	1977 Amnesty International (Note 1)	1976 Amnesty International
INCOME:				
National section contributions (Note 3a)	£538,649	£ —	£538,649	£341,078
Donations (Notes 3a and 3g)	23,977	32,707	56,684	19,200
Donations for capital purposes (Notes 3a and 8)	28,613	—	28,613	—
Publications revenue (Notes 3a and 5)	19,039	74,839	93,878	20,407
Interest income	10,839	313	11,152	5,495
Other receipts, including exchange gains (Note 3e)	2,057	2,097	4,154	3,390
Charge for secretarial services performed for The Prisoners of Conscience Fund	3,590	—	3,590	2,800
	626,764	109,956	736,720	392,370
EXPENDITURE (Notes 3 and 5):				
Salaries and related costs	346,768	31,390	378,158	254,395
Production, printing and stationery	54,299	68,069	122,368	35,508
Office costs	62,022	11,028	73,050	44,657
Premises and occupation costs	40,256	2,267	42,523	27,524
Travel and National section development costs	27,454	6,548	34,002	23,029
Provision for doubtful accounts and National section contributions unpaid	2,500	—	2,500	2,503
Accountancy and audit fees	5,435	3,000	8,435	6,020
	538,734	122,302	661,036	393,636
Net surplus (deficit)	88,030	(12,346)	75,684	(1,266)
ACCUMULATED FUND (DEFICIT)				
Balance, beginning of year	47,099	—	47,099	55,194
Transfer of Campaign for the Abolition of Torture fund to CAT Special Project Fund (Note 7)	—	—	—	(6,829)
Balance, end of year	£135,129	£(12,346)	£122,783	£ 47,099
Representing—				
International Secretariat accumulated fund	£135,129	£ —	£135,129	£ 47,099
Promotion Department deficit	—	(12,346)	(12,346)	—
	£135,129	£(12,346)	£122,783	£ 47,099

The accompanying notes are an integral part of these statements.

AMNESTY INTERNATIONAL
STATEMENTS OF CHANGES IN FINANCIAL POSITION
FOR THE YEARS ENDED 30 APRIL 1977 and 1976

	Amnesty International 1977	1976
SOURCES OF FUNDS:		
Net surplus (deficit) for year	£ 75,684	£ (1,266)
Add (deduct): Items not involving cash flow during the year–		
Depreciation	4,822	2,262
Amortization of past service superannuation liability	(580)	(580)
Total funds from operations	79,926	416
Decrease in working capital	–	10,881
	£ 79,926	£ 11,297
USES OF FUNDS:		
Purchase of property and equipment	£ 39,241	£ 4,468
Transfer of accumulated fund to CAT Special Project Fund	–	6,829
Increase in working capital	40,685	–
	£ 79,926	£ 11,297
INCREASE (DECREASE) IN WORKING CAPITAL:		
Increase in debtors and prepaid expenses	£ 29,456	£ 9,291
Increase (decrease) in receivable from The Prisoners of Conscience Fund	(1,023)	2,800
Increase (decrease) in receivable from the British Section	(5,183)	5,183
Increase in publications stock	6,468	1,702
Increase in loans to National sections	5,061	–
(Increase) decrease in creditors and accrued expenses	(114,270)	5,684
(Increase) decrease in payable to the British Section	(2,406)	118
Decrease in relief obligations	561	9,631
(Increase) in Special Project funds	(15.051)	(7,009)
(Increase) in CAT Special Project Fund	(3,517)	(10,286)
Decrease in Karen O'Donovan Fund	146	–
(Increase) in loans from National sections	(28,539)	–
Movement in net liquid funds–		
Increase (decrease) in cash	168,982	(27,995)
Increase (decrease) in working capital	£ 40,685	£(10,881)

The accompanying notes are an integral part of these statements.

AMNESTY INTERNATIONAL
STATEMENTS OF SOURCES AND APPLICATIONS OF RELIEF MONIES FOR THE YEARS ENDED 30 APRIL 1977 and 1976

	1977	1976
SOURCES:		
Specific relief monies	£102,163	£ 78,813
Interest income	3,667	3,549
The Prisoners of Conscience Fund (Note 2)	18,900	11,100
	124,730	93,462
APPLICATIONS:		
Relief monies paid	106,391	86,819
Relief monies paid on behalf of The Prisoners of Conscience Fund (Note 2)	18,900	11,100
Reimbursed to British Section (Note 3d)	–	5,174
	125,291	103,093
Net decrease in relief obligations	(561)	(9,631)
Balance of relief obligations, beginning of year	34,681	44,312
Balance of relief obligations, end of year	£ 34,120	£ 34,681

These statements do not include the relief obligations of The Prisoners of Conscience Fund represented by its accumulated fund of £31,028 at 5 April 1977.

The accompanying notes are an integral part of these statements.

AMNESTY INTERNATIONAL
NOTES TO ACCOUNTS—30 APRIL 1977 and 1976

1. *AIMS AND ORGANIZATION:*

Amnesty International is an unincorporated, non-profit organization which has as its object the securing, throughout the world, of the observance of the provisions of the Universal Declaration of Human Rights. The specific objects, the methods to be applied in achieving these objects, and details of its organization are covered by the Statute of Amnesty International, as amended by the Ninth International Council meeting in Strasbourg, France in September 1976.

Amnesty International consists of National sections which embrace affiliated groups and members. The authority for the conduct of its affairs is vested in the International Council. The International Executive Committee, elected by the International Council, is responsible for the conduct of the affairs of the organization and for the implementation of the decisions of the Council. The day-to-day affairs of Amnesty International are conducted by the International Secretariat under the direction of the International Executive Committee. In 1976, the International Executive Committee established the Promotion Department to conduct a major promotion and fund-raising campaign in 1977; this Department is independent of the International Secretariat, and reports directly to the International Executive Committee. It is hoped that as a result of the activities of the Department, National sections will benefit from an accelerated growth in membership and will receive donations from third parties at an increased rate. It is planned that these increases in subscription income and donations, together with income received from benefit concerts associated with the campaign, will be passed to the Promotion Department during 1978.

National sections may be established in any country with the consent of the International Executive Committee. One such section is the British Section, which has its offices in London in the same premises as those of the International Secretariat.

The objects of Amnesty International include providing assistance to and working towards the release of persons who, in violation of the provisions of the Universal Declaration of Human Rights, are imprisoned, detained, restricted or otherwise subjected to physical coercion or restriction by reason of their political, religious, or other conscientiously held beliefs or by reason of their ethnic origin, colour or language (provided that they have not used or advocated

violence). These persons are referred to as "prisoners of conscience". One of the main functions of the International Secretariat is to carry out research to identify such prisoners of conscience and to report on its findings. These prisoners of conscience receive relief monies both through Amnesty International and through a United Kingdom registered charity, The Prisoners of Conscience Fund. Both the International Secretariat and the British Section work closely with the managers of The Prisoners of Conscience Fund in matters of administration and payment of relief monies.

Amnesty International is financed principally by contributions from National sections. The Amnesty International accounts embrace only those finances for which the International Executive Committee is responsible, namely those of the International Secretariat and the Promotion Department, and accordingly exclude amounts related to individual National sections' resources. At 30 April 1976, no costs had been incurred in respect of the Promotion Department and no revenues had been received; thus, the accounts of Amnesty International at that date included only the International Secretariat accounts.

2. *RELIEF MONIES:*

The International Secretariat is responsible for the administration and disbursement of relief monies. Not all such monies received have been applied, as yet, towards relief. These unpaid funds are held in a separate bank account (the relief account). Relief obligations are reflected as a current liability of Amnesty International.

Certain relief funds are contributed by the managers of The Prisoners of Conscience Fund. To ease administration, these relief monies are paid out through the channels of Amnesty International, using the International Secretariat's relief bank account. Although the managers are advized by Amnesty International, they retain complete discretion as to how these relief monies are disbursed, both as to quantum and direction.

Payments of relief are usually made via intermediaries to prisoners or their families. This relief activity involves entrusting responsible persons with relief monies and relying extensively on their integrity and dedication to ensure that the proper persons benefit from relief. It is often impractical to obtain receipts from beneficiaries of relief monies, but the International Secretariat does have additional sources of information which, it believes, would report back to the Secretariat any significant instances where relief monies, for one reason or

another, did not reach prisoners or their families. To date, no such significant instances have been reported.

Sources and applications of relief monies are summarized in the attached statement; receipts and payments of relief monies do not comprise income and expenditure of Amnesty International.

3. *ACCOUNTING POLICIES:*

a. Income

National section contributions represent the committed share of each section towards the International Secretariat's budget. Adequate reserves have been provided against certain unpaid contributions which National sections have stated they will not or cannot meet.

Donations are accounted for on a cash basis. The amounts recorded as income represent cash received during the year.

Publications revenue represents the value of sales of International Secretariat and Promotion Department publications to third parties during the year. The related expenditure of the publications activity of the International Secretariat is included in total expenditure (see Note 5).

b. Property and Equipment

This is recorded at cost less accumulated depreciation. Depreciation is provided, in respect of all assets in use, on a straight line basis at the following rates—

Leasehold improvements:	over the period of the lease
Office equipment:	15% per annum

c. Publications stock

Publications stock is stated at the lower of cost and net realizable value.

d. Reimbursement to British Section

Certain donors have contributed to The Prisoners of Conscience Fund at the suggestion of the British Section. These donations are then applied for relief purposes by the managers of The Prisoners of Conscience Fund. In previous years, the International Secretariat, at its discretion, has applied relief monies to reimburse the British Section for such amounts donated to The Prisoners of Conscience Fund. The net amount applied for relief purposes thus remains the same. The reimbursement procedure was discontinued in 1976.

e. Foreign currency

Foreign currency assets and liabilities have been translated into

pounds sterling at the approximate exchange rates ruling at the year end.

Foreign currency income and expenditure are translated into pounds sterling at average exchange rates for the year.

f. Production, printing and stationery costs

These costs include the costs incurred in preparing and printing art posters and other publications, and the costs of items given to third parties for promotional purposes.

g. Promotion Department accounts

The Department's balance sheet and statement of income and expenditure comprise the combined activities of the Luxembourg, London and Dublin locations.

The Promotion Department has received certain donations for the fund-raising campaign. In addition, some National sections have provided funds to the Department in order to finance the start of the campaign; these amounts have been recorded as loans from National sections, unless sections have specified that the funds are not repayable by the Department at the conclusion of the campaign.

4. *PROPERTY AND EQUIPMENT:*

Movement on the account for the year was—

	Balance, 30 April 1976	Additions/ provisions	Balance, 30 April 1977
Cost—			
Leasehold improvements	£ —	£22,173	£22,173
Office equipment	15,077	17,068	32,145
	15,077	£39,241	54,318
Accumulated depreciation—			
Leasehold improvements	—	£ —	—
Office equipment	5,476	4,822	10,298
	5,476	£ 4,822	10,298
Net	£ 9,601		£44,020

The cost of certain office equipment additions totalling £5,712 has been met using a portion of the Erasmus Prize fund (see Note 8). As discussed in Note 9, the leasehold improvements were not brought into use until after 30 April 1977; no depreciation has been provided on these assets.

5. *PUBLICATIONS DEPARTMENT:*

The income and expenditure of the publications department of the International Secretariat (included in the statement of income and expenditure) was as follows—

	1977	1976
Publications revenue	£ 19,039	£ 20,407
Publications cost of sales, mainly printing and stationery expenditure	(37,451)	(17,483)
Gross profit (loss)	(18,412)	2,924
Salaries and related costs	(18,676)	(12,768)
Other costs	(6,995)	(7,996)
Deficit for year	£(44,083)	£(17,840)

The above summary excludes the results of the publications activities of the Promotion Department.

6. *SPECIAL PROJECT FUNDS:*

Amnesty International has a procedure whereby Special Project funds, replenished from time to time by National sections, are maintained to enable the organization to carry out specific projects for which resources would not otherwise be available. Examples of these projects include missions to attend trials of prisoners of conscience, investigations into prison conditions, financing a Pacific Regional Conference, and providing information services for certain regions. The following is a summary of Special Project transactions for the year—

	1977	1976
Receipts	£57,531	£28,201
Payments	(42,480)	(21,192)
	15,051	7,009
Fund, beginning of year	19,192	12,183
Fund, end of year	£34,243	£19,192
Comprising—		
Amount allocated to identified projects	£25,133	£17,813
Unallocated portion	9,110	1,379
	£34,243	£19,192

7. *CAMPAIGN FOR THE ABOLITION OF TORTURE (CAT) SPECIAL PROJECT FUND:*

In 1975 and prior years specific finance was obtained for the CAT campaign. Its accumulated surplus was carried forward separately from that of the International Secretariat. From 1976, the campaign's activities were incorporated into those of the International Secretariat.

The accumulated surplus at 30 April 1975 was allocated to a CAT Special Project Fund, which is operated in the same way as the Special Project funds (see Note 6), and is financed by specific CAT project donations. Activity on this fund during the year was as follows—

	1977	1976
Receipts	£ 9,166	£ 6,815
Transfer from Campaign for the Abolition of Torture fund	—	6,829
	9,166	13,644
Payments	(5,649)	(3,358)
	3,517	10,286
Fund, beginning of year	10,286	—
Fund, end of year	£13,803	£10,286
Comprising—		
Amount allocated to identified projects	£11,524	£ 4,050
Unallocated portion	2,279	6,236
	£13,803	£10,286

8. *DONATIONS FOR CAPITAL PURPOSES:*

Included in donations for capital purposes is approximately £24,000 which represents the Erasmus Prize awarded during the year to Amnesty International. The prize, which can only be used for specified capital purposes, is to be used to establish a document centre. At 30 April 1977, the amount still to be expended on the centre (and for which no commitment had been made) amounted to £22,901.

9. *LEASE AND RELATED CAPITAL COMMITMENTS:*

The organization entered into a lease for office premises at Southampton Street, London WC2, with effect from 2 May 1977. The lease is for a period of three years at an annual rental of £49,000 plus a service charge. The organization will have to pay a deposit of £12,250 as surety, to be held jointly by the solicitors of Amnesty International and the lessor until the expiry of the lease.

The organization has the following additional commitments in respect of the acquisition of this lease–

Alterations and improvements, contracted for at 30 April 1977	£22,011
Additional expenditure authorized	5,200
Fees, expenses and ancillary costs	17,239
	£44,450

10. *PAST SERVICE SUPERANNUATION LIABILITY:*

The International Secretariat's Retirement Benefits Scheme became effective in January 1974. The scheme is fully-insured and covers certain employees who elected to join. The past service liability at inception of the scheme amounted to £11,600. A provision of this amount was made in 1974, and is being amortized over 20 years on a straight-line basis; the unamortized balance at 30 April 1977 is £9,860.

11. *TAXATION:*

Amnesty International is regarded for tax purposes as a body corporate and is chargeable to corporation tax on profits arising from any trading activity and on interest income. No provision for corporation tax has been made in these accounts as trading losses (from publications) exceed interest income.

APPENDICES

APPENDIX I

Some Amnesty International Statistics

As of 1 July 1977 there were:

1,945 adoption groups in 31 countries, an increase of 270 groups over 1975-1976.

More than 168,000 individual members and supporters in 107 countries, an increase of 71,000 members and supporters and 29 countries over 1975-1976. There are National Sections in 33 of these countries.

4,196 prisoners under adoption or investigation.

During the period of 1 June 1976-30 June 1977:

2,285 new prisoners were taken up and 1,657 prisoners released.

208 Urgent Actions were taken on behalf of individuals or groups in emergency cases.

During the same period Amnesty International:

Took action on violations of human rights in 116 countries.

Dispensed more than £125,000 (US $215,000) in relief to prisoners and their families.

Sent missions and observers to 22 countries.

Issued 70 news releases on 36 countries.

Published printed reports on 19 countries.

APPENDIX II

International Executive Committee

Andrew Blane	United States of America
Dirk Börner	Federal Republic of Germany
Thomas Hammarberg	Sweden, Chairman
Alfred Heijder	Netherlands
Irmgard Hutter	Austria
Dick Oosting	Staff Representative
Marie-José Protais	France
Mumtaz Soysal	Turkey, Vice-Chairman
Kevin White	Ireland, Treasurer
Martin Ennals	Secretary General, International Secretariat

APPENDIX III

Amnesty International News Releases 1976-1977

1976

9 June	AI asks OAS to act on new arrests in *Chile*
16 June	350,000 signatories to AI petition urge Uruguayan government to allow torture investigation
24 June	AI appeals to *India* to mark anniversary of emergency by declaring general amnesty for political prisoners.
18 July	AI appeals for release of political prisoners in *Spain*
20 July	AI protests arrests, exile and killings of Bolivian mineworkers AI protesta por las detenciones, exilio y asesinatos de mineros Bolivianos
20 July	AI appeals to *Bangladesh* President for clemency on death sentence and for a retrial of civilians sentenced before a military tribunal
21 July	AI lists 99 medical personnel detained for political reasons in 22 countries
23 July	AI says Uruguayans kidnapped in *Argentina* still missing
25 July	AI says thousands more untried prisoners shipped to island penal colony in *Indonesia*
29 July	AI details arrests, long term detention and torture in *Paraguay*
5 August	AI urges end to executions in *Sudan*
8 August	AI details long-term detentions and violations of human rights in *Malawi*
17 August	AI names five more cases of psychiatric detention of dissidents in *Soviet Union*
26 August	AI appeals to *Chile* and *Bolivia* to allow Bolivian exiles in *Chile* to return to *Bolivia*
24 August	*Ghana* bars AI observer from trial of poet
29 August	AI sends observer to trial of rock musicians in *Czechoslovakia*
30 August	AI calls on *South Africa* to probe allegations of torture by army in *Namibia*
31 August	AI protests sentences in *South Korea*
9 September	AI welcomes release of writer in *Yugoslavia*
15 September	AI mission reports systematic torture in the *Philippines*

19 September	AI urges Argentinian government to investigate kidnappings by Uruguayan security forces in Buenos Aires
26 September	AI Report lists human rights violations in 112 countries
26 September	AI Council acts on *South Africa, Turkey* and *Northern Ireland*
30 September	AI protests to Czechoslovak authorities about the exclusion of its observers from musicians' trial
14 October	AI urges Thai government to act on student killings
18 October	AI asks Soviet authorities to investigate harassment complaint from Moscow group member
24 October	AI details arrests for political dissent and violations of human rights in *Taiwan* (Republic of China)
25 October	AI calls for release of *Transkei* political prisoners
28 October	AI expresses concern at the treatment of Kurds in *Iraq* under amnesties (and background paper)
10 November	AI sends Austrian lawyer to observe Czechoslovak musicians' appeal hearing
14 November	AI lists 167 trade unionists imprisoned in 16 countries
18 November	AI welcomes the release of 300 political prisoners in *Chile* but regrets the continued imprisonment of other political detainees
25 November	AI condemns new Uruguayan security bill "on the state of dangerousness"
28 November	AI details long-term imprisonment, torture and executions in *Iran*
5 December	AI asks *Paraguay* to explain deaths and torture carried out by the police AI pide explicación al gobierno de *Paraguay* en torno a muertes y tortura en manos de la policía
8 December	Garfield Todd launches AI's petition for Prisoner of Conscience Year
12 December	AI reports on death squads and disappearances in *Guatemala*
21 December	AI welcomes release of Vladimir Bukovsky and Luis Corvalan

1977

9 January	AI calls on government of *Haiti* to verify Christmas amnesty

18 January	AI expresses concern at executions in *Rhodesia* and *USA*
19 January	AI urges *United States* President-Elect to declare a general amnesty for *Vietnam* war opponents
20 January	AI concerned that Moscow group member is questioned in connection with Moscow Metro explosion
26 January	AI asks Uruguayan government for information on deaths under torture
27 January	AI concerned at Arab prisoners' hunger-strike in *Israel*
2 February	AI rejects Iranian allegations of political bias and welcomes report that torture is to be abandoned in *Iran*
6 February	AI submits report on human rights violations in *Uganda* to United Nations Commission on Human Rights
11 February	AI says trade unionists are undergoing torture in *Spain*
17 February	AI deeply concerned at deaths in custody in *Uganda* and *South Africa*
24 February	AI, Howard League for Penal Reform, National Council for Civil Liberties publish dossier on maltreatment of prisoners in a *UK* prison
25 February	AI urges *Rhodesia* to free civilians jailed for failing to report guerrillas
27 February	AI reports black political prisoners assaulted in *South Africa*
16 March	AI says more than 1,500 political prisoners have "disappeared" in *Chile*
20 March	AI publishes criticisms by the Philippines government of its Philippines mission report
23 March	AI report refutes Argentinian government's claims of improved human rights situation since coup
24 March	AI expresses alarm at Libyan government's overrule of court decision
27 March	AI reports on human rights violations in *Czechoslovakia*
28 March	AI submits evidence on human rights violations in *Ethiopia* to United States Congress Subcommittee on Military Aid
5 April	AI appeals for an immediate amnesty for untried political prisoners in *Thailand*

7 April	AI welcomes the prospective release of untried "Naxalites" in *India* and urges the release or prompt trials for other untried detainees
12 April	AI expresses shock at executions in *Libya*
16 April	AI publishes report on the first *Greek* torturers' trial
20 April	AI reports on human rights violations in *Turkey*
21 April	AI calls for an end to executions in *Rhodesia*
24 April	AI lists 283 trade unionists imprisoned in 21 countries
26 April	AI urges South African authorities to allow press inspection of detention centers
27 April	AI lists 104 journalists imprisoned or restricted for political reasons in 25 countries
8 May	AI concerned at Democratic Kampuchean government's lack of response to appeals
12 May	AI seeks support in the Arabic-speaking world for Prisoner of Conscience Year petition
16 May	AI report documents erosion of fundamental freedoms in *Pakistan*
26 May	AI calls for release of South Korean civil liberties activists

APPENDIX IV

Amnesty International Publications 1976-1977

Argentina: *Report of an Amnesty International Mission to Argentina* (1977) AIP: English, Spanish. National Section translations: German, Dutch, Italian, Swedish.

Chile: *Disappeared Prisoners in Chile* (1977) AIP: English, French, Spanish. National Section translations: Dutch, German, Swedish.

Czechoslovakia: *Amnesty International Briefing Number 9* (1977) AIP: English, French, Spanish. National Section translations: Dutch, German, Italian.

German Democratic Republic: *Amnesty International Briefing Number 12* (1977) AIP: English, German. National Section translation: Dutch, Italian, Norwegian, Swedish.

Greece: *Torture in Greece: The First Torturer's Trial 1975* (1977) AIP: English. National Section translations: Dutch, German.

Guatemala: *Amnesty International Briefing Number 8* (1976-1977) AIP: English, Spanish. National Section translation: Dutch.

Indonesia: *Amnesty International Report* (1977) AIP: English, Indonesian, French. National Section translations: Swedish, German, Japanese.

Iran: *Amnesty International Briefing Number 7* (1977) AIP: English, Farsi, French. National Section translations: German, Dutch, Italian.

Republic of Korea: *Report of an Amnesty International Mission to the Republic of Korea (2nd edition)* (1977) AIP: English. National Section translation: Dutch.

Morocco: *Amnesty International Briefing Number 13* (1977) AIP: English, French. National Section translations: Dutch, German, Italian, Norwegian, Swedish.

Namibia: *Amnesty International Briefing Number 10* (1977) AIP: English. National Section translations: Dutch, German, Swedish.

Nicaragua: *The Republic of Nicaragua An Amnesty International Report* (1977) AIP: English, Spanish. National Section translations: German, Dutch.

Pakistan: *Report of an Amnesty International Mission to Pakistan* (1977) AIP: English. National Section translation: German.

Paraguay: *Amnesty International Briefing Number 4* (1977) AIP: Spanish.

Philippines: *Report of an Amnesty International Mission to the Republic of the Philippines* (2nd edition) (1977) AIP: English, Spanish. National Section translations: Dutch, German, Swedish.

Sri Lanka: *Report of an Amnesty International Mission to Sri Lanka* (2nd edition) (1976) AIP: English.

Taiwan: *Amnesty International Briefing Number 6* (1976) AIP: English. National Section translations: Dutch, German, Swedish.

Turkey: *Amnesty International Briefing Number 11* (1977) AIP: English, French. National Section translations: Dutch, German.

People's Democratic Republic of Yemen: *Amnesty International Briefing Number 3* (1977) AIP: Arabic. National Section translations: Dutch, German.

Campaign for the Abolition of Torture (CAT) Publications

Evidence of Torture: Studies by the Amnesty International Danish Medical Group (1977) AIP: English, French, Spanish. National Section translations: Dutch, German.

Los Abogados Contra la Tortura (1977) AIP: Spanish.

Professional Codes of Ethics (1976) (1977) AIP: English, Spanish, French.

General Amnesty International Publications

Amnesty International Handbook (1977) AIP: English.

Annual Report: *Amnesty International Report 1975-1976* (1976) AIP: English, Spanish, French.

Annual Report: *Amnesty International Report 1976-1977* (1977) AIP: English, Spanish, French. National Section translations: Dutch German, Swedish, Italian, Danish, Finnish, Japanese.

Leaflets

General Information Leaflet (1977) AIP: French, English.

Torture in Spain (1976) AIP: English.

APPENDIX V

National Sections and Committees

Australia: Amnesty International, PO Box 28, St Kilda, 3182 Victoria
Branch Addresses:
(New South Wales) Amnesty International, New South Wales Branch, PO Box 2598, GPO Sydney, New South Wales 2001
(Queensland) Amnesty International, Queensland Branch, PO Box 87, Clayfield, Brisbane, Queensland 4011
(South Australia Branch) Ms Margaret Illman, 16 Tester Drive, Blackwood, South Australia 5051
(Tasmania Branch) Mrs B E G Rolls, 194 Waterworks Road, Hobart, Tasmania 7005
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