AMNESTY INTERNATIONAL REPORT 1983

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Page 46 (Guinea-Bissau), line 16: should read "Umaru Djalo"

Page 56 (Malawi), line 26: should read "1982"

Page 58 (Malawi), line 6: should read "1979"

Page 59 (Mauritania), line 25: should read "Mohamed Yehdih Ould Breidellehl"

Page 174 (United States of America), line 26: should read "17 February 1982"

Page 278 (Switzerland), lines 4, 5: should read "a military tribunal at Lancy"
line 22: should read "a military tribunal at Montbénon"
line 23: should read "La Tour-de-Peilz"

AMNESTY INTERNATIONAL REPORT 1983

This report covers the period
January to December 1982

AMNESTY INTERNATIONAL is a worldwide movement which is independent of any government, political grouping, ideology, economic interest or religious creed. It plays a specific role within the overall spectrum of human rights work. The activities of the organization focus strictly on prisoners:

—It seeks the *release* of men and women detained anywhere for their beliefs, colour, sex, ethnic origin, language or religion, provided they have not used or advocated violence. These are termed *"prisoners of conscience"*.

—It advocates *fair and early trials* for *all political prisoners* and works on behalf of such persons detained without charge or without trial.

—It opposes the *death penalty* and *torture* or other cruel, inhuman or degrading treatment or punishment of *all prisoners* without reservation.

AMNESTY INTERNATIONAL acts on the basis of the United Nations Universal Declaration of Human Rights and other international instruments. Through practical work for prisoners within its mandate, Amnesty International participates in the wider promotion and protection of human rights in the civil, political, economic, social and cultural spheres.

AMNESTY INTERNATIONAL has more than 500,000 members, subscribers and supporters in over 150 countries and territories, with over 3,000 local groups in more than 50 countries in Africa, Asia, Europe, the Americas and the Middle East. Each group works on behalf of 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. No section, group or member is expected to provide information on their own country, and no section, group or member has any responsibility for action taken or statements issued by the international organization concerning their own country.

AMNESTY INTERNATIONAL has formal relations with the United Nations (ECOSOC), UNESCO, the Council of Europe, the Organization of American States and the Organization of African Unity.

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 the International Council and income and expenditure are made public in an annual financial report.

AMNESTY INTERNATIONAL REPORT 1983

Amnesty International Publications
1 Easton Street ● London WC1X 8DJ ● United Kingdom

Contents

First published 1983 by Amnesty International Publications
1 Easton Street, London WC1X 8DJ, United Kingdom

©Copyright Amnesty International Publications 1983

ISBN 0 86210 057 7
AI Index: POL 01/01/83
Original Language: English

Printed, designed and typeset in Great Britain by
Redesign, 9 London Lane, London E8

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Regional maps have been included in this report to indicate the location of countries and territories cited in the text and for that purpose only. It is not possible on the small scale used to indicate precise political boundaries. Larger territories whose disputed status is a matter of unresolved concern before relevant bodies of the United Nations have been indicated by striping. Amnesty International takes no position on territorial disputes.

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Preface

This report is a public account of Amnesty International's work in 1982. Publishing facts about human rights violations is often denounced as provocative and political. If it is provocative, it is not because it seeks to offend, but because it exposes abuses and contradicts official versions of events. If it is political, it is not because it is partisan, but because it addresses and makes demands of those in power.

In describing the activities of Amnesty International – a worldwide voluntary movement working for the release of all prisoners of conscience, fair and prompt trials for political prisoners and an end to torture and executions – the report identifies abuses in more than 115 countries. Many are being committed by governments while their own officials pay lip-service to human rights in international arenas such as the United Nations.

The concealment of facts, the dissemination of half-truths or lies and other forms of manipulation of public opinion by governments must be challenged. The protection of human rights depends in good measure on the collection, analysis and publication of information from the widest possible range of sources.

Some governments have made it a criminal offence to publish information about human rights violations in their countries or to send such accounts abroad. Human rights activists have become prisoners of conscience as a result in the German Democratic Republic and China as well as in other countries. In the USSR members of unofficial groups monitoring the state's adherence to the Final Act of the Helsinki Conference on Security and Cooperation in Europe, which the USSR signed in 1975, have been imprisoned and sent into internal exile in remote and harsh parts of the country. In El Salvador people attempting to publicize human rights violations have themselves become victims of "disappearances". Relief workers working with refugees in Honduras have been arrested, tortured, and in some cases killed.

Some governments refuse to cooperate with international organizations. They continue to fail to ratify treaties such as the United Nations human rights covenants; they will not admit international

observers to their political trials or to their prisons; they do not respond to complaints raised within the United Nations. This is not acceptable. Human rights are an international responsibility and a matter of legitimate international concern. Governments are accountable not only to their own people but also, in more than one sense, to the international community. Intergovernmental organizations and non-governmental organizations have the right to ask questions, to send representatives and to observe trials. Citizens have the right to correspond freely with such bodies.

There have been attacks on the international organizations that work for human rights. The USSR this year published a denunciation of Amnesty International in a book alleging that the movement conducts espionage and has rarely taken up human rights violations in any other country. The Guatemalan Government accused Amnesty International of a campaign of defamation. The Yugoslav public prosecutor called statements by Amnesty International "malicious and untrue". The Moroccan Government accused it of abandoning its humanitarian vocation and becoming a simple defender of lawbreakers. The stifling of information has extended to the banning of this report: last year's edition was proscribed by the military rulers of Argentina. An Amnesty International news release was banned by the South African Government. Poland and Zaire are among the countries that refused to allow Amnesty International missions to their countries in 1982, despite repeated requests.

Governments in several regions have resorted to deception, distortion and disinformation on human rights questions. In early 1982 the Turkish authorities, trying to counteract reports that a number of political prisoners had died as a result of torture, presented five prisoners to Turkish journalists. Not only were these five not on the list compiled by Amnesty International of alleged deaths in custody, but, when questioned by the journalists, two said they had been tortured and one collapsed during the interview. Later in the year President Marcos of the Philippines pledged to the foreign news media that his government would protect human rights: during the rest of 1982 Amnesty International continued to learn of incommunicado detention, torture, "disappearances" and arbitrary killings.

Statements about human rights have been misused to make political propaganda. Governments, news media and other institutions have used human rights issues in polemical attacks on other nations while deliberately giving inaccurate public assessments of progress on human rights by their allies. Selectivity in human rights work has poisoned many discussions in the United Nations. The misuse of human rights themes for partisan or opportunist purposes was manifested in many forms in 1982: for example, in materials issued by

various of the parties to conflicts in the Middle East; in interventions by representatives of many governments in the United Nations; in reporting by Soviet news media on, for instance, Poland; in pronouncements by United States officials on patterns of human rights violations in Central America; and in the timing and unprecedented prominence of statements on torture and "disappearances" in Argentina by political leaders and commentators in the United Kingdom during hostilities in the South Atlantic.

Accurate information based on honest, painstaking research is vital to the human rights movement. Unbiased evaluation of that information can be achieved only by an approach that is scrupulously non-partisan, and that applies a single, universal standard for the protection of rights everywhere, regardless of politics or nationality.

Amnesty International tries to apply these principles in its work. It addresses all governments openly and seeks to disseminate its information as widely as possible. The organization attaches paramount importance to accuracy and is prepared to correct any errors it has made. Before publishing major country reports Amnesty International asks the government concerned for its comments and has often abstained from immediate publication in order to give those in authority an opportunity to clarify the facts. But ultimately the organization must make its information public. The publication of this annual report is one such moment.

Amnesty International is in fact rarely shown to have reported incorrectly. Many complaints from governments are not about *what* has been published, but about the very fact of publishing, or about the timing of publication. The organization is often accused of failing to appreciate the background to abuses or of giving, at least indirectly, support to the political opposition. This is a misconception. Amnesty International does not work against governments, but against human rights violations. It compares actual practice in a country with internationally accepted standards and demands compliance with these where they have not been respected. Neither the historic background nor the social and economic conditions in a country can justify contravening these principles nor can the character of the opposition to a given government. Abuses have been committed by opposition groups in various countries: Amnesty International holds as a matter of principle that the torture and execution of prisoners by anyone, including opposition groups, can never be accepted. Governments have the responsibility of dealing with such abuses, acting in conformity with international standards for the protection of human rights.

This report documents Amnesty International's concerns and work in one 12-month period. It does not rank countries according to

their record on human rights. Such comparisons could never be meaningful, not only because information is suppressed in many countries but also because forms of repression cannot be measured and compared. Any attempt to grade governments would be immediately open to misuse for political ends. Above all, attention would be distracted from the fundamental principle: that if one prisoner of conscience is held, if one single detainee faces torture or execution, this is a violation of human rights that must be confronted. Government secrecy and censorship can hide human rights abuses, and this report is limited by lack of information on certain countries. There are other reasons why this report cannot be comprehensive: for example, insufficient resources to carry out research or activities, or an absence of reported violations. In some cases no country entry in this report has been possible: this cannot be taken to indicate that no human rights violations are taking place in that country. Among the countries where the information on violations of concern to Amnesty International was insufficient to allow an entry in this report were: Botswana, Burundi, Equatorial Guinea, Sierra Leone, Jordan, Kuwait, Oman, Qatar, United Arab Emirates, Yemen Arab Republic.

Within these limits the report summarizes an international effort to monitor and defend rights declared by all governments and accepted as treaty commitments by many. Its content and scope attest to the gulf between those promises and reality.

Amnesty International — a worldwide campaign

On Human Rights Day, 10 December 1982, Amnesty International launched an appeal for a Universal Amnesty for All Prisoners of Conscience. This was the start of a major drive involving the movement's worldwide membership in collecting signatures for a petition to be presented to the President of the United Nations General Assembly and to all heads of state.

The appeal addresses one of the central concerns of Amnesty International: the continuing imprisonment throughout the world of people solely because of their beliefs or origins, without their having used or advocated violence. The text of the appeal is reproduced overleaf. It reflects the belief on which Amnesty International is founded – that human rights are universal values, and that the responsibility for protecting those rights is international.

Amnesty International's more than 500,000 members and supporters in over 150 countries are working to defend these principles. The voluntary movement is independent of any government, political or religious movement. It seeks the release of prisoners of conscience, fair and prompt trials for political prisoners and an end to torture and executions. It appeals directly to governments, works to raise public awareness of international human rights standards and promotes respect for those standards.

The funds to sustain these activities are raised by Amnesty International's membership. The movement is financed by its members and the public: Amnesty International does not accept government money for its work. This financial independence is essential to keep the movement free from pressure, and maintain its impartiality. Amnesty International's accounts are open to public scrutiny and copies are available from the International Secretariat.

A Universal Amnesty for All Prisoners of Conscience

THOUSANDS of men and women are in prison throughout the world solely because of their political or religious beliefs. Others are held because of their colour or ethnic origin. These are Prisoners of Conscience — none has used or advocated violence.

NONE of these people should be in prison. The fact that they have been arrested and punished because of their beliefs or origins is an affront to humanity. They should be freed unconditionally.

WE CALL FOR A UNIVERSAL AMNESTY FOR ALL PRISONERS OF CONSCIENCE

WE BELIEVE that such an amnesty, backed by the United Nations and declared by all governments, is possible. It would give effect to the moral and legal principles of the Charter of the United Nations and the Universal Declaration of Human Rights.

WE ISSUE this call in the belief that there is an indissoluble link between human rights and peace. An amnesty for all prisoners of conscience would be an unparalleled act in the building of international confidence and the promotion of fundamental freedoms. It would advance respect for human rights everywhere, securing thereby the foundations for justice, freedom and peace.

This appeal extends to all those adopted as prisoners of conscience by Amnesty International and to those falling within its definition of such prisoners. The appeal will be presented to the President of the General Assembly of the United Nations and to all Heads of State.

Work for individual prisoners

Amnesty International members are organized into small groups in over 50 countries doing practical work to protect prisoners held around the world. Research is carried out at the International Secretariat, where dossiers on individual prisoners are compiled. When Amnesty International determines that a prisoner of conscience is being held, the prisoner is "adopted" by one or more groups which then try to achieve his or her immediate and unconditional release. Group members appeal to the authorities holding the prisoner, and mobilize public and professional interest in the case. Government and prison officials are faced with insistent, continuous and informed appeals urging the prisoner's release. When a case is being investigated because there is not enough evidence to determine whether or not the prisoner is a prisoner of conscience, the group will ask the authorities for details about the case, such as the charges involved.

Groups work for prisoners held in countries other than their own. The cases — generally two are allocated to a group — are balanced politically and geographically to reflect the movement's impartiality. Groups also send material assistance to adopted prisoners and their families, such as money, medicine or clothing. In 1982 there were over 3,000 groups in 51 countries, working on behalf of over 5,500 prisoners (some of whom had been adopted by more than one group).

Networks have been set up to respond rapidly in cases where prompt action is essential. During 1982 there were 302 urgent action appeals on behalf of individuals and groups of prisoners in 61 countries. The cases included prisoners in need of immediate medical treatment, prisoners who had "disappeared" in unacknowledged custody, and prisoners threatened with torture or facing execution.

Each month the *Amnesty International Newsletter* highlights the plight of three prisoners of conscience and asks its readers to send direct personal letters or telegrams on their behalf.

Campaigns

During the year Amnesty International members and groups cooperated in special actions to help prisoners in several countries. In December 1981 Amnesty International initiated a worldwide campaign to expose and halt the use by governments of "disappearances" as a means of eliminating suspected opponents. The victims of this human rights violation are taken into custody and then "disappear"; their friends and relatives cannot find out where they are or if they are alive or dead.

Each year the movement organizes Prisoners of Conscience

Week to draw public attention to Amnesty International's work on a particular concern: the theme of the 1982 week of action was "Victims without Voice: Human Rights Violations in Rural Areas". Rural prisoners, the "forgotten" prisoners of today, are targets of brutal and often massive repression in many countries, but their cases seldom receive worldwide attention, often because details about their plight are scarce. The victims have limited access to international communication channels or support groups. If a peaceful peasant demonstration in a remote province is attacked and many of the demonstrators are arrested, taken to police stations and then killed by security forces, it may be months before the information becomes known and, unless there is already news interest in the country, there may be little publicity. Amnesty International wants to change this pattern: it seeks to know more itself about such incidents and ways it can help the victims; it wants other people and organizations to become more alert to these human rights abuses and see what can be done to stop them.

In early 1982 the Dutch Section of Amnesty International organized an International Conference on Extrajudicial Executions. Some 120 participants from 30 countries, including independent experts, members of intergovernmental and non-governmental organizations, members of the Amnesty International staff and sections, and activists from other human rights groups came together to explore possibilities for stepping up activities against these killings. The final statement from the International Conference is included in this report as Appendix VI. The work to expose and halt political killings by governments will be stepped up in 1983 when Amnesty International is to launch a major campaign, involving its worldwide membership, against these gross violations of human rights.

Amnesty International is unconditionally opposed to the death penalty and works for its total abolition throughout the world. Amnesty International regularly monitors death sentences and executions around the world. It appeals for clemency whenever it learns of a case in which imminent execution is feared.

On 11 April 1982, a constitutional amendment abolishing the death penalty for all offences in the Netherlands was adopted by a large majority by the Dutch Parliament. By the end of the year 25 countries had abolished the death penalty for all offences, and 16 for all but exceptional offences, such as war crimes. A number of other countries have not abolished the death penalty but do not carry out executions in practice.

During 1982, 1,609 prisoners are known to have been executed in 42 countries, and 1,435 sentenced to death in 60 countries. These figures include only cases known to Amnesty International: the true figures are certainly higher.

Refugees

Amnesty International's statutory objectives relate exclusively to prisoners. However, its work towards achieving those objectives leads it to oppose the forcible return of anyone to a country where they might reasonably fear being imprisoned as a prisoner of conscience, tortured or killed. It presents information about the risks refugees face in their countries of origin to specialized refugee organizations and to governments considering applications for political asylum. Sections have applied to their own government for visas or permission to reside for prisoners of conscience whose only alternative to indefinite imprisonment was exile.

Relief

During 1982 the International Secretariat of Amnesty International distributed £123,721 in relief payments to help prisoners of conscience and their families and to assist the rehabilitation of torture victims. Sections and Amnesty International groups also sent help to many thousands of prisoners and their families. The relief program is not a substitute for the primary objectives of securing freedom for prisoners of conscience and an end to the use of torture, but aims to alleviate suffering. When relief payments are distributed by bodies outside Amnesty International or through intermediaries, the organization takes care to stipulate the precise prisoner-related purpose for which the payments are intended, and whenever possible obtains receipts from the beneficiaries. The relief program of the International Secretariat is supervised by a sub-committee of the International Executive Committee which also advises sections on relief activities. Amnesty International's relief accounts, like its general accounts, are audited annually and are available from the International Secretariat.

International organizations

Amnesty International's work is based upon international human rights standards adopted by the United Nations and other intergovernmental organizations. Most of these organizations have also created procedures to monitor government compliance with such standards. Although more refined standards continue to be formulated, the emphasis in most organizations is now on the need to ensure that standards are respected. This is the framework within which Amnesty International operates. It presents the facts about prisoners of conscience, detention

without fair trial of political prisoners, torture, "disappearances" and executions and seeks a response from these bodies to halt these abuses.

In a statement before the UN Commission on Human Rights in March 1982 Amnesty International presented its views on the role of the UN in combating human rights violations. It welcomed positive advances made by the UN to protect individuals against violations of their rights, but expressed frustration at the UN's inaction and compromise, especially when called upon to respond urgently to gross violations of human rights.

Amnesty International has consultative status (category II) with the United Nations Economic and Social Council (ECOSOC). This allows it to consult with and submit information to bodies within the UN, and to be represented at meetings which deal with human rights issues. The UN Commission on Human Rights is one of the principal UN bodies concerned with the promotion and protection of human rights. It has established procedures for receiving information, determining the facts, and intervening where appropriate. Amnesty International regularly submits information to the Commission on Human Rights, its Sub-Commission, its working groups, and special rapporteurs. Amnesty International submitted information on more than 50 occasions during 1982 to the Working Group on Enforced or Involuntary Disappearances. The working group was created in 1979 by the Commission on Human Rights to investigate cases of "disappearances" in any part of the world. In 1982 Amnesty International brought information to the attention of the working group concerning "disappearances" in 17 countries: Argentina, Bolivia, Chile, Colombia, El Salvador, Ethiopia, Guatemala, Guinea, Honduras, Kenya, Mexico, Namibia, Paraguay, the Philippines, Syria, Uruguay and Zaire. In most cases information was sent under the emergency procedure created by the working group to take immediate action in cases where the victim appeared to be in physical danger.

Amnesty International has submitted information each year since 1972 for consideration under the procedure set up under Economic and Social Council Resolution 1503 (XLVIII). This provides for the confidential consideration of reports that appear to reveal "a consistent pattern of gross and reliably attested violations of human rights". During 1982 Amnesty International submitted information on such situations in Argentina, Morocco, Pakistan and Uruguay.

In a statement to the Commission on Human Rights on 26 February 1982 Amnesty International drew the commission's attention to the political use of the death penalty. It said that of the more than 3,000 known executions in 1981, over three-quarters were in cases involving the political activities – real or imputed – of the victims.

Political trials resulting in the death penalty are frequently conducted in an arbitrary and summary manner. At that session the Commission on Human Rights appointed a Special Rapporteur on Summary or Arbitrary Executions to prepare a "comprehensive report on the extent and the occurrence of the practice". During 1982 Amnesty International sent the special rapporteur information on extrajudicial executions, and death penalties pronounced after inadequate trials, in 32 countries.

Amnesty International also provided information under mechanisms set up by the Commission on Human Rights in response to human rights violations in Chile, El Salvador, Guatemala, Iran and Poland. Information on the imprisonment of conscientious objectors to military service was submitted to two rapporteurs appointed by the commission's Sub-Commission on Prevention of Discrimination and Protection of Minorities. Statements were made to this sub-commission on the death penalty and on extrajudicial executions; to the commission's Ad Hoc Working Group of Experts on Southern Africa and to the UN Special Committee against Apartheid, on the human rights situation in South Africa, to the Committee on Crime Prevention and Control on the need to implement the Code of Conduct for Law Enforcement Officials, and to the Fourth Committee of the General Assembly on human rights violations in East Timor.

Existing international standards cover most of the human rights questions of concern to Amnesty International: imprisonment of prisoners of conscience, fair trial and torture. Many states, however, have not yet entered into legally binding agreements to protect these rights within their own jurisdictions. Amnesty International has consistently pressed all governments to ratify the international covenants on human rights and the Optional Protocol to the International Covenant on Civil and Political Rights. During 1982 Amnesty International welcomed ratification of the covenants by Bolivia, Egypt and Viet Nam, and of the Optional Protocol by Bolivia.

The Human Rights Committee, set up under the International Covenant on Civil and Political Rights, monitors compliance with this covenant. It studies reports submitted by states that are parties to the covenant, and under the Optional Protocol considers complaints from individuals. The committee has issued "general comments" on different provisions of Articles 1 to 10 of the covenant. At its 16th session in July 1982 it adopted general comments of importance to Amnesty International's work against torture and the death penalty. The committee stated that it was not sufficient for states simply to prohibit torture or to make it a crime. States must ensure effective protection through some machinery of control and investigate properly complaints of ill-treatment. The committee added that corporal

punishment is a form of torture or cruel, inhuman or degrading treatment which is prohibited under the covenant. The committee stated that abolition of the death penalty is desirable, and that measures restricting the use of the death penalty enhance the right to life.

In the United Nations Educational, Scientific and Cultural Organization (UNESCO) Amnesty International has category B consultative status. During 1982 Amnesty International submitted information on violations of the human rights of writers, teachers and others in Czechoslovakia, El Salvador, Laos and Yugoslavia. It also pressed for greater UNESCO activity in the field of human rights education. In October 1982 a representative of Amnesty International chaired the first meeting of the Joint UNESCO Non-Governmental Organizations Working Group on Education for the Promotion, Application and Defence of Human Rights.

Amnesty International regularly submits information to the United Nations High Commissioner for Refugees on cases of people threatened with being sent or returned to countries where they risk becoming victims of human rights violations within Amnesty International's mandate.

Amnesty International has no formal status with the International Labour Organisation (ILO) but it has made information available on such issues as forced labour and the imprisonment or "disappearance" of trade unionists to organizations which do work formally with the ILO. During 1982 Amnesty International for the first time attended as an observer the International Labour Conference, the ILO's supreme body.

Respect for human rights continues to be a concern of a number of regional intergovernmental organizations.

In the Americas, the Inter-American Commission on Human Rights of the Organization of American States (IACHR) reported in November 1982 upon the human rights situations in Argentina, Bolivia, Chile, Colombia, El Salvador, Haiti, Nicaragua, Paraguay and Uruguay. The commission visited and investigated Haitian asylum-seekers in the United States of America. It also visited Guatemala to investigate the situation there. During 1982 Amnesty International submitted information to the IACHR on Guatemala, Nicaragua and Suriname. In its annual report to the Twelfth General Assembly of the Organization of American States (OAS) in Washington DC the IACHR noted "the urgency of taking a number of measures designed to guarantee full exercise of human rights and particularly to stop extremely serious abuses, such as summary executions carried out by security forces or paramilitary groups with the acquiescence of the government, in those countries where they have occurred." Amnesty International attended the General Assembly and sent a

letter to the heads of delegations explaining its concerns in the region. The letter drew particular attention to the Draft Convention Defining Torture as an International Crime, which had been under consideration by the OAS General Assembly since 1980. The 1982 assembly requested governments to comment upon the draft convention by June 1983 so that it might be considered at the November 1983 Assembly.

The African Charter on Human and Peoples' Rights, which was adopted unanimously by the Organization of African Unity (OAU) in 1981, was ratified in 1982 by six states – Congo, Guinea, Liberia, Mali, Senegal and Togo. A majority of the 50 OAU member states must become a party for the charter to come into force.

Amnesty International attended a UN seminar on "National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region" in Colombo, Sri Lanka. The seminar encouraged countries in the Asia and Pacific region to ratify the basic international treaties on human rights and considered mechanisms for cooperation on human rights within the region.

The Committee of Ministers of the Council of Europe decided to grant Amnesty International observer status with the Steering Committee for Human Rights, which advises the committee on human rights matters. The decision specified that the observer status applied only to certain activities and agenda items of the steering committee. During 1982 the steering committee elaborated an Optional Protocol to the European Convention on Human Rights abolishing the death penalty for offences committed in peacetime. Amnesty International has long campaigned for an amendment to the European Convention which would outlaw the death penalty completely. By the end of 1982 the Optional Protocol was still awaiting a decision by the Committee of Ministers to open it for signature. Amnesty International also contributed information to relevant bodies of the Council of Europe's Parliamentary Assembly, including a major submission on the imprisonment of conscientious objectors to military service in the Federal Republic of Germany, France, Greece and Switzerland.

The Inter-Parliamentary Union, a non-governmental organization consisting of members of parliament in 98 countries, maintains a special committee which investigates reported violations of the human rights of parliamentarians. During 1982 Amnesty International submitted to the special committee information on members of parliament detained for political purposes in 14 countries: Bangladesh, Chile, Ethiopia, Gabon, Ghana, Indonesia, Iran, Singapore, Somalia, Turkey, Uganda, Viet Nam, Zaire and Zimbabwe.

Africa

Angola

Amnesty International was concerned about the imprisonment of people for criticizing government policies or officials, and by violations of the human rights of prisoners suspected of supporting armed opposition movements, particularly the *União Nacional para a Independência Total de Angola* (UNITA), National Union for the Total Independence of Angola: such violations included long-term detention without charge or trial, harsh conditions of imprisonment, torture and the death penalty. Amnesty International was also concerned by the detention without trial of other political prisoners and by unfair political trials.

The government of President José Eduardo dos Santos faced continuing problems of internal security throughout the year due to repeated incursions into southern Angola by South African military forces based in Namibia and to the activities of the UNITA guerrillas, who were most active in the central highlands, in the provinces of Bie and Huambo, but were also present in the south. Both sides in the internal armed conflict, the ruling *Movimento Popular de Libertação de Angola – Partido de Trabalho* (MPLA – PT), Popular Movement for the Liberation of Angola – Workers' Party, and the UNITA, accused their opponents of committing atrocities in the central highlands.

In addition to attacking military targets, the UNITA abducted a considerable number of civilians. Victims included, in particular, both foreign nationals and Angolans working for church missions and for the International Committee of the Red Cross (ICRC). Most such foreign nationals were eventually released, but it was not known what happened to Angolans and a number of Portuguese citizens abducted by the UNITA.

A number of Angolans who had formerly been refugees in neighbouring Zaire were detained after publicly criticizing the government's failure to solve problems such as the shortage of housing and public transport. Four government officials and intellectuals closely linked to the MPLA-PT were also arrested in December following the dismissal of a number of government and party officials. They were accused of insulting President dos Santos by arranging the private staging of a play which criticized senior government officials. One of those arrested was the Secretary General of the Union of Angolan Journalists, Fernando Costa Andrade ("Ndunduma"), a former editor of the daily newspaper, the *Jornal de Angola*. He was reported to have gone on hunger-strike on 22 December 1982, soon after his arrest. He was adopted by Amnesty International as a prisoner of conscience.

Horacio Torrado ("Gerry"), a teacher, was accused of insulting former President Agostinho Neto, who died in 1979. He was said to have told students in late 1981 that Angolan poetry, including that of President Neto, was not the best in the world but was equalled by poetry from other countries. For this, he was brought before the People's Revolutionary Tribunal in August 1982, charged under the terms of a May 1978 security law with insulting President Neto, convicted and sentenced to four years' imprisonment. He was adopted by Amnesty International as a prisoner of conscience.

Amnesty International was not able to estimate the number of prisoners of conscience or the number of political detainees. The frequency with which detainees were held without trial made it difficult to ascertain the reasons for a detainee's arrest and to assess whether the detainee might be a prisoner of conscience.

Both in Luanda and elsewhere, political detainees were frequently detained uncharged at the orders of the Ministry of State Security for much longer than the maximum 90 days permitted by law. In September 1982 prisoners at São Paulo prison in Luanda went on hunger-strike in protest at their long-term detention without charge or trial.

In early 1982 Amnesty International learned of the arrest of Constantino Chitwe and four other teachers at Wako Kungo, in Kwanza Sul province, who were accused of having links with UNITA guerrillas active in the area in December 1981. Unofficial sources claimed that they had been arrested because they were members of both the Ovimbundu ethnic group and the Congregationalist Church. Amnesty International's inquiries received no reply. At the end of 1982 they were apparently still detained without charge or trial.

Amnesty International knew of other long-term detainees accused of supporting either the UNITA or the *Frente Nacional de Libertação de Angola* (FNLA), Angolan National Liberation Front, held in prisons in Luanda and in rural detention camps such as Tari camp, in Kwanza Sul province, and São Nicolau camp, in Namibe province, which was reported to have been officially renamed Bentiaba camp. Those detained without charge included supporters of the FNLA who voluntarily returned from abroad in 1979 and 1980 under the impression that they would benefit from a general amnesty for opponents of the government.

Several long-term detainees were released during the year. In May three Portuguese nationals were released from detention and expelled to Portugal following an official visit by President Eanes, the Portuguese head of state. Two of them had been held without trial since 1976 for alleged involvement with the Portuguese security forces during the colonial period. In November 1982 prisoners held by the Angolan and South African authorities and the UNITA were released. Those released from Angola were a US pilot detained since early 1981 and two other Americans who had been among the nine foreign mercenaries given prison sentences at a trial in June 1976.

Amnesty International received several allegations of torture at detention centres controlled by the Ministry of State Security, notably in Luanda, Huambo and Sumbe (in Kwanza Sul province). For example, one report claimed that in January 1982 a police officer imprisoned at the New Prison in Luanda had been severely tortured and was suffering from burns on his head and legs as a result of electric shocks. Other political detainees were also said to have been severely beaten or tortured in the interrogation cells in the basement of the New Prison.

Amnesty International also received reports that political detainees were tortured outside Luanda. The length of incommunicado detention made it difficult to confirm reports of torture. For example, Constantino Chitwe was reported to have been held incommunicado in Sumbe for more than six months; he was said to have been tortured soon after his arrest but it was not possible to obtain independent confirmation.

At least 10 people were reported to have been sentenced to death for political offences in 1982. In April the People's Revolutionary Tribunal in Lobito tried 30 defendants accused of complicity in bomb explosions in Lobito's "Acude" quarter in support of the UNITA. On 22 April, 19 defendants were convicted: five were condemned to death and 14 others given prison sentences of between four and 20 years. The five death sentences were confirmed at the end of May by the special Appeals Tribunal which reviews death sentences and prison sentences of 20 years or more; the five men were reported to have been executed by firing-squad on 29 May 1982.

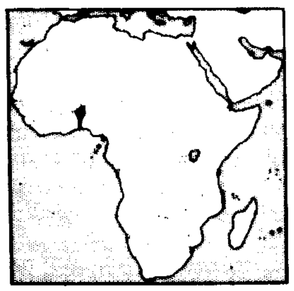
In May 1982, 25 people were tried by the People's Revolutionary

Tribunal in Cabinda: three were charged with setting off bombs which damaged oil installations in Cabinda and 22 others with supporting their actions and belonging to the *Frente de Libertação do Enclave de Cabinda* (FLEC), Cabinda Enclave Liberation Front. The three accused of planting bombs – Manuel Bandioba, Alberto Casimiro and Daniel Kuende – were all convicted and sentenced to death. The court acquitted one defendant and convicted the 21 others, sentencing them to between one and four years' imprisonment; however, they were all reported to have been granted conditional release.

Subsequent trials in Cabinda of alleged FLEC members in June and November resulted in two more death sentences. However, these trials occurred before military courts and not before the People's Revolutionary Tribunal. It was not known whether the five death sentences imposed in Cabinda province were reviewed by the Appeals Tribunal, nor whether they were executed.

After each of these trials before the People's Revolutionary Tribunal and military courts Amnesty International appealed for the death sentences to be commuted. Amnesty International was also concerned that those sentenced to death were not fairly tried and did not have adequate opportunities to appeal against conviction. Although defendants at such trials have officially appointed defence lawyers, political prisoners have on several occasions claimed that the lawyers did not properly represent their clients' interests and that the prisoners were not able to defend themselves adequately.

Six prisoners were reported to have been sentenced to death by the People's Revolutionary Tribunal in Luanda in April 1982, when 12 people were tried on charges of murder and armed robbery.



Benin

Amnesty International was concerned by the long-term detention without trial of suspected political opponents of the government, the continuing imprisonment of prisoners of conscience and other political prisoners sentenced after unfair trials, and the ill-treatment of prisoners.

Throughout 1982 Amnesty International sought the release of 29 detainees, mainly students and teachers, arrested between 1979 and 1981 and detained without trial after protests against the government's education policy at Benin's university and in various schools. They reportedly continued to be

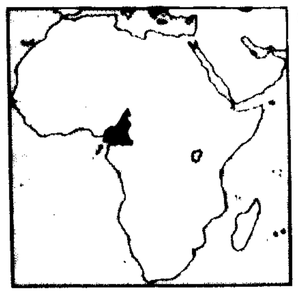
held as "administrative internees" and to be denied official notification of the reasons for their detention, any charges against them, and the duration of their detention. Twenty-six of the detainees had been arrested between March 1979 and January 1980, as part of official measures against a newly formed autonomous student organization which had publicly called for improvements in university education and criticized government controlled student associations. All were adopted as prisoners of conscience by Amnesty International. Gregoire Alle, Raphael Djegui and Jerôme Houessou were arrested in March 1981 following the distribution of leaflets and the painting of slogans on street walls in the capital, Cotonou, calling for the release of detained student leaders and for reforms in university education. They were also adopted as prisoners of conscience. Amnesty International was seeking information on the cases of a further five individuals also reportedly arrested in March 1981, and of four pupils arrested in April 1981 following the distribution of more leaflets.

Amnesty International continued to seek the release of five prisoners of conscience, two of whom had been sentenced to death – Abbe Alphonse Quenum and former Agriculture Minister Adrien Ahanhanzo Glele. They were among 13 people arrested in 1975 and convicted of participation in alleged attempts to overthrow the government. They were not allowed to attend their trials, which took place in March 1975 and February 1976 before the country's principal executive body, the *Conseil national de la revolution* (CNR), the National Council of the Revolution, which was convened as a *Tribunal revolutionnaire national*, National Revolutionary Tribunal. The CNR was given by decree "sovereign decision-making power" to pronounce a verdict and to impose sentence, without reference to existing laws and judicial procedures. The accused were denied the rights to defence counsel and to appeal, and most were not officially informed of the sentences imposed on them. In its appeals to the authorities to release the five prisoners of conscience and to review the cases of the eight remaining prisoners sentenced by the CNR, Amnesty International pointed out that the manner of the trial appeared to violate the constitution of Benin, known as the *Loi fondamentale*. This guarantees *inter alia* the right to defence counsel.

Amnesty International was investigating the cases of three former senior government officials – Claude Midahuen, Leonard Maboudou and Andre Oke Assogba – who were arrested in 1975 and 1976, also in connection with the alleged 1975 coup attempts. These detainees had been held without charge or trial since their arrest, and appeared to have been classified as "administrative internees". Amnesty International was also investigating the cases of Colonel Alphonse Alley and two other individuals, who were arrested in early 1973

following the alleged discovery of an earlier plot to overthrow the government. They were tried and sentenced by a non-judicial body to terms of imprisonment of between 10 and 20 years. They were not allowed to attend these proceedings, nor were they allowed defence counsel or the right to present evidence. Amnesty International continued its investigations concerning Pascal Chabi Kao, Theophile Paoletti and Michel Bamenou Toko, all former ministers in the deposed government of Hubert Maga, who had been held without charge or trial since their arrests between late 1972 and mid-1973. Although they had reportedly been accused at the time of their arrest of misappropriating state funds while in office, several reports were received by Amnesty International which suggested that the reasons for their arrests were primarily political. In late October 1982 Pascal Chabi Kao and Theophile Paoletti were reported to have been released, although little was known about the circumstances.

Amnesty International was concerned by the generally poor conditions under which political detainees were held and by the ill-treatment to which some were subjected. The conditions of detention of the 29 pupils, students and teachers were of particular concern: they continued to be deprived of food by the prison authorities and were completely dependent on other prisoners or on their families; in the central prisons of Cotonou and Porto Novo they were held in overcrowded and poorly ventilated cells; the standards of sanitation and hygiene were unacceptably low, and many of these prisoners were reported to be suffering from skin, stomach, throat and eye complaints. During 1982, however, the prison authorities reportedly relaxed restrictions on correspondence for many political prisoners. Conditions of detention at the *Commissariat central* (central police station) in Cotonou reportedly continued to be very harsh, due particularly to severe overcrowding of detainees into small cells and the very poor food. Several of the individuals arrested in March 1981 were thought to be held at Parakou in northern Benin, where conditions are also believed to be harsh, due to overcrowding and poor sanitation. Medical facilities were reported to be grossly inadequate in all of Benin's prisons.



Cameroon

Amnesty International was concerned by the long-term detention without trial of suspected political opponents of the government. These detainees were held under a system of administrative internment developed during civil disorder in the 1960s but retained in 1982. This confers on the President power to detain indefinitely and without recourse to the courts any person considered subversive. Amnesty International was also concerned about the poor conditions in which detainees were held and about renewed reports of torture, including electric shock torture.

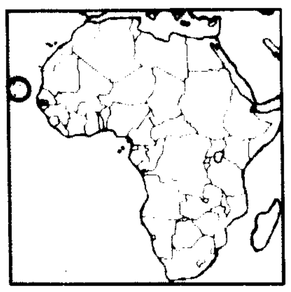
On 6 November President El-Hadj Ahmadou Ahidjo, who had been in power since 1958, retired from office for health reasons. He was replaced as President by Prime Minister Paul Biya.

For most of 1982 Amnesty International sought the release of five remaining detainees held in administrative detention without charge or trial since July 1976, when some 200 students, teachers and white-collar workers were arrested apparently for distributing anti-government literature. One of these detainees, Henri Moukouri, was released during 1982. Two others – Andre Moune and Emmanuel Bille – were reported to have been released but Amnesty International was unable to confirm this. Another, Gaspard Mouen, is reported to have suffered serious cardiac problems in prison in late 1982. He was released in December. Martin Ebelle-Tobo was still in detention at Tchollire *Centre de reeducation* ("re-education centre"). This detention centre was believed to hold only untried political prisoners and administrative detainees. Amnesty International received reports of other untried detainees, possibly prisoners of conscience, held at Tchollire but was able to confirm only the case of Martin Ebelle-Tobo.

Amnesty International took up the cases of Jean Kona and Thomas Mabong for investigation. Both had lived for several years in France. They were arrested in January 1982 when they returned to Cameroon for a holiday, apparently because Jean Kona had in his baggage a published article which the authorities considered subversive. Thomas Mabong is reported to be held at the *Prison de production* (labour camp) at Yoko, and Jean Kona at Tchollire. Amnesty International received reports of the detentions during 1982 of people said to have distributed literature critical of the government. A number of Jehovah's Witnesses continued to be detained. This sect

was banned by the government in May 1970.

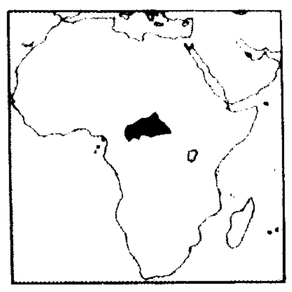
Amnesty International was concerned by reports that torture, including electric shock torture, had been re-introduced at the Yaounde headquarters of the ***Brigade mixte mobile*** (BMM), a paramilitary police force. Both criminal and political detainees were reported to be routinely beaten by both police and the BMM as punishment and during interrogation. Standards of food and hygiene were reported to be very low in Cameroonian prisons, particularly at the Tchollire "re-education centre". Access to family and friends at Tchollire and Yoko was very restricted. Amnesty International was concerned by the inadequate medical attention given to Gaspard Mouen and Andre Moune during their detention at Tchollire and Yoko respectively.



Cape Verde

Amnesty International was concerned by the trial before a military court of 18 civilians accused of offences against the security of the state and by allegations that some of them were assaulted in pre-trial custody. The 18 prisoners were among 23 people arrested on Santo Antão island on 1 September 1981 following a demonstration the previous day during which one person was shot dead by soldiers. The demonstrators had been calling for the release of two recently arrested detainees and protesting against a proposed law on agrarian reform. Five of those arrested were subsequently released uncharged but the remainder were detained for several months by the security police, the *Direcção Nacional de Segurança e Ordem Pública* (DNSOP), National Directorate of Security and Public Order, and then brought to trial. Most of them were charged under Article 168 of the criminal code with attempting to change the government by unconstitutional means and with being in league with an illegal opposition political party, the *União Caboverdiana Independente e Democratica* (UCID), Cape Verdean Independent and Democratic Union. During their detention, they were held incommunicado and some were alleged to have been brutally assaulted.

Although the defendants were civilians, they were tried before the *Tribunal Militar de Instância*, Military Tribunal of the first Instance, as military courts have jurisdiction over all cases concerning state security. The trial opened on 5 March before three judges, only one of whom was a civilian. The defendants were legally represented but were apparently prevented from giving evidence about their alleged ill-treatment in pre-trial detention. At the end of the trial on 18 March all 18 defendants were convicted of offences against the security of the state and with one exception sentenced to prison terms ranging from one to 10 years' imprisonment. These sentences were believed to have been confirmed by the Supreme Military Tribunal. Although Amnesty International did not adopt any of the defendants as prisoners of conscience, the organization believed that this trial fell short of internationally recognized standards. In particular, the evidence against them was insufficient to prove that they intended to overthrow the government by force.



Central African Republic

Amnesty International was concerned by the incommunicado detention without trial of suspected opponents of the government. Those detained included more than 100 people alleged to have been involved in an attempt to overthrow the government in March 1982. A number were adopted as prisoners of conscience. They also included some 10 children of alleged government opponents. Amnesty International was also concerned about harsh conditions for political detainees held at Kassaï military camp in Bangui and about death sentences imposed on three political prisoners.

In early January 1982 at least 15 suspected members of the main opposition party, the *Mouvement de liberation du peuple centrafricain* (MLPC), Central African People's Liberation Movement, led by Ange Patasse, were arrested in Bangui. They included three members of the MLPC's Political Bureau and a number of students and *lycéens* (school students) who were said to have attended an illegal political meeting and distributed MLPC documents. After a few weeks one of the detainees, Simplice Moholo, was brought before a judge of the *Tribunal de grande instance*, High Court, in Bangui. The authorities asked for his detention to be extended and for his case to be referred to a Special Tribunal for political offences set up in July 1981. However, the judge, Gaston M'Baïokoum, decided that it was unnecessary for the case to go before the Special Tribunal. At a subsequent hearing

another judge ordered Simplice Moholo's provisional release when two prosecution witnesses failed to appear. The authorities protested at these decisions but both judges were supported by Marc Passet, the acting *Procureur general*, Procurator General, at the court. He and the two judges were then arrested on or about 12 March 1982. Marc Passet and the two judges were adopted as prisoners of conscience by Amnesty International. They were released uncharged in July. Simplice Moholo and nine others arrested in January had been freed in March. Five others, however, were still held incommunicado and uncharged at the end of 1982. They were adopted by Amnesty International as prisoners of conscience.

On 4 March 1982 the military government of General Andre Kolingba, which took power in September 1981, announced that a conspiracy to overthrow the government had been uncovered. It was alleged that two leading members of the government – General François Bozize, the Information Minister, and General Alphonse M'Baikoua, the Minister of Justice – and the MLPC had been involved. The MLPC was banned and MLPC membership was made a criminal offence. From September 1981 to March 1982 party political activities had been forbidden, but membership of a political party as such had not been an offence. Prominent members of the party were arrested in March 1982 but Ange Patasse and the two ministers evaded arrest. Ange Patasse obtained asylum in the French Embassy in Bangui and was later allowed to leave for Togo. The two ministers also took refuge abroad, although General M'Baikoua was subsequently detained in Chad. However, a number of close relatives of these three, including the wives of two of them and 10 children, were arrested and detained incommunicado at Kassai military camp. Those of the children still at school or studying were released in late November 1982, after more than eight months' imprisonment, but both wives and the older children remained in detention at the end of 1982.

Several people living along the route which Alphonse M'Baikoua had used to escape were also arrested for allegedly assisting him. However, no specific charges were brought against them. They too were detained incommunicado at Kassai military camp.

At the end of 1982 more than 100 of those arrested in March in connection with the alleged conspiracy remained in detention without charge or trial. In addition to leading members of the MLPC they included several doctors, civil servants and former government officials. More than 30 were adopted as prisoners of conscience by Amnesty International. There were two more arrests in June – the Minister of Telecommunications, Michel-Paulin Bondeboli, and the Secretary of State for Commerce, Jerôme Allam.

A number of people held in connection with the conspiracy were released during the year, some within a few days of their arrest in March. The President of the National Medical Association, Simon Bedaya-Ngaro, and another doctor were freed in July.

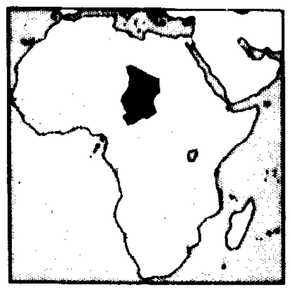
In August 1982 the President of the opposition party, the *Front patriotique oubanguien – Parti du travail* (FPO-PT), Oubangui Patriotic Front – Labour Party, Dr Abel Goumba, was arrested with another senior member of the party, Patrice Endjimoungou. The Minister of Interior claimed that Patrice Endjimoungou had been in possession of subversive letters written by Dr Goumba. However, after investigating the cases, Amnesty International concluded that there was no evidence that the two men had been planning to use violence, and adopted them as prisoners of conscience. The two men were still detained without trial at the end of 1982.

The cases of all political detainees are believed to have been referred to the Special Tribunal established in July 1981 to try political cases in the aftermath of a bomb attack on a Bangui cinema. In May 1982 five people detained shortly after that attack and accused of being in possession of explosives were tried before the Tribunal. Three were convicted and sentenced to death, one was acquitted and no verdict was announced on the fifth. The court also convicted and sentenced to death *in absentia* two leaders of the political party which had claimed responsibility for the July 1981 bomb attack.

There is no right of appeal after conviction by the Special Tribunal. Amnesty International appealed to President Kolingba to exercise his right of presidential clemency, but at the end of 1982 the three condemned prisoners were believed to be still under sentence of death.

No other political detainees are known to have been tried by the Special Tribunal during the year, although at least one other person arrested after the July 1981 bomb attack, David Berberati, was reported to be still in detention in late 1982.

The detainees held at Kassai military camp were reportedly locked up both day and night in cramped and unhygienic conditions, received insufficient food and water, and were denied adequate exercise or medical attention. They were also apparently deprived of all rights to receive visits or correspondence from their relatives and were permanently held incommunicado. Amnesty International repeatedly appealed to the authorities to improve these conditions and at the end of the year it was reported that detainees were being allowed out of their cells during the daytime.

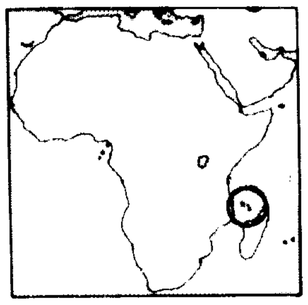


Chad

Amnesty International was concerned by reports of extrajudicial executions carried out by soldiers of the *Forces armées du nord* (FAN), Armed Forces of the North, led by Hissène Habré, who took control of most of the country by September. The victims were reported to include civilians and unarmed former soldiers of the *Forces armées tchadiennes* (FAT), Chadian Armed Forces, led by Colonel Abdelkader Kamougue, who was ousted from southern Chad by FAN forces between June and September. Before their defeat, the FAT were responsible for the detention of more than 30 civilians and military supporters of the *Rassemblement pour l'unité et la démocratie au Tchad* (RUDT), Movement for Unity and Democracy in Chad.

Fighting between a number of rival political and military factions continued throughout the first half of 1982 and prevented effective central control. In June the FAN captured N'Djamena, the capital, forcing out President Goukouni Oueddei and the *Forces armées populaires* (FAP), Popular Armed Forces. FAN forces then moved into areas of southern Chad which had been occupied by Colonel Kamougue's FAT and by September had taken control of virtually the whole country except an area in the extreme north still held by troops loyal to Goukouni Oueddei. Hissène Habré was sworn in as the new President on 21 October.

In September Amnesty International appealed to Hissène Habre to seek the release of the RUDT members held hostage by FAT forces since June. They were released during September. The FAN occupation of the south was accompanied by reports of extrajudicial executions allegedly committed by troops loyal to Hissène Habré. The victims were reported to include prominent civilians alleged to have collaborated with Colonel Kamougué's administration and unarmed former members of FAT. Those killed included Karhyom Ningayo, prefect of Moundou, who was reportedly shot dead by FAN soldiers in front of his family. Amnesty International expressed its concern about these killings to President Habré on 22 October and called on him to confirm or deny the deaths. No reply was received. Reports of further extrajudicial executions reportedly carried out by the FAN were received by the end of the year, including the execution of Lieutenant-Colonel Kouldoumngar Ngolombaye Allafi, a former chief of the general staff in Goukouni Oueddei's army.



Comoros

Two prisoners of conscience and at least 18 other prisoners whose cases were being investigated by Amnesty International were released during 1982 after two series of trials of political opponents of the government. Amnesty International was concerned that the political trials which took place in January and May 1982 did not conform to internationally recognized standards. At the end of the year Amnesty International was still investigating the case of one prisoner who was convicted in January 1982.

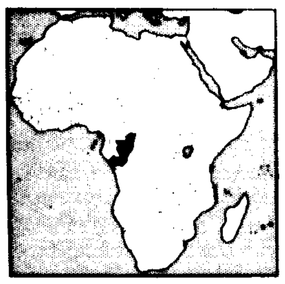
It was difficult to obtain details about the trials in January and May 1982. The defendants in January included Salim Himidi, Minister of the Interior under the former government of Ali Soilih which was overthrown in 1978. Amnesty International adopted him as a prisoner of conscience. He was tried with a number of other former officials and soldiers detained since May 1978 including eight whose cases Amnesty International had taken up for investigation. At least three of this group were tried by the *Cour speciale de justice*, Special Court of Justice, on charges of embezzlement, despite the fact that the court exists to deal with political offences. Amnesty International was concerned that these detainees were charged principally because of their support for the previous government. One of the three prisoners tried by the Special Court of Justice was acquitted, and the other two convicted, but all three were immediately released. It was not clear whether Salim Himidi and the remaining defendants were tried by the Special Court of Justice or by the *Cour de sûrete de l'Etat*, State Security Court, which was sitting at the same time. Nor could Amnesty International ascertain the number of defendants or details of the charges against individuals. However, all those tried in January 1982 were known to have been released after the trials.

Another political trial took place in January 1982 before the Moroni Criminal Court. Eight people who had been arrested in February 1981, and whose cases were being investigated by Amnesty International, were convicted of plotting against the government. They were given sentences of up to two and a half years, but all but one were released during 1982. It was not known why political cases were tried before the Criminal Court rather than before one of the two courts created for political offences.

The State Security Court was again assembled in May to hear the case of Mouzaoir Abdallah, a former Minister of Foreign Affairs

arrested in November 1981 on account of his contacts with opposition groups. He was convicted on 18 May of having acted "in a manner liable to disturb public order and to incite hatred of the government". Amnesty International considered him to be a prisoner of conscience. Mouzaoir Abdallah was sentenced to two years' imprisonment but was released by presidential order on 28 May. Some of his supporters were released at about the same time, including four on the same day. It was not known whether they had been tried.

Amnesty International was concerned that the Special Court of Justice and the State Security Court did not conform to internationally recognized standards. It was particularly concerned that defendants had no guarantee of legal representation and no right of appeal. These concerns had been communicated to the authorities in a memorandum following an Amnesty International mission to the Comoros in 1981.



Congo

Amnesty International was concerned by the use of detention without trial, allegations of torture, and the death penalty. The detainees included 34 people from Cabinda, an enclave of Angola, who had been held since 1977, and former President Joachim Yhombi-Opango, who had been detained without trial together with several associates since shortly after he was ousted in February 1979. During 1982 at least five people were detained after a bomb explosion in May and several refugees from Zaire were also arrested and detained without trial. One was forcibly repatriated to Zaire and imprisoned there. In December Congo ratified the African Charter on Human and Peoples' Rights, which it had signed in November 1981.

There were two serious bomb explosions in Brazzaville. In May at least 15 people were killed when a bomb exploded at a cinema, and a similar explosion at the international airport in July also resulted in casualties. Responsibility for the first attack was claimed by the *Groupe patriotique arme du Congo*, Congo Armed Patriotic Group, a clandestine organization not previously reported to be active.

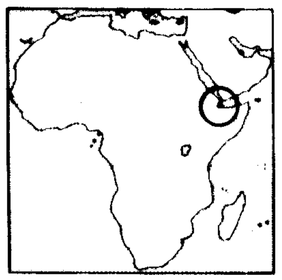
Soon after the first explosion five people were arrested. They included Bernard Kolelas, a former senior government official who had previously been detained without trial on several occasions and was adopted by Amnesty International as a prisoner of conscience in late 1978. Although they had been in prison since May, the five detainees were subsequently accused of being responsible for the second explosion in July. They were held incommunicado and questioned by the security police for several months. Eugene Madimba, one of the detainees, was allegedly tortured with electric shocks to make him confess and implicate others. However, it appears that there was insufficient evidence to substantiate a case against them. In September, they were moved from the security police headquarters in Brazzaville to a police training school at M'Pila, where they remained incommunicado. They went on hunger-strike, demanding to be tried or released. Amnesty International was investigating their cases. At the end of the year they were still being held, apparently without charge.

Amnesty International remained concerned by the continued detention without charge or trial of at least 34 Cabindans arrested in early 1977 suspected of links with the *Frente de Libertação do Enclave de Cabinda* (FLEC), Cabindan Enclave Liberation Front. During 1982 they were reportedly held at an airforce base near Pointe-Noire. The cases of all 34 were taken up for investigation by Amnesty International but the authorities did not respond to inquiries.

Former President Yhombi-Opango remained in detention throughout 1982 together with several other people arrested with him in March 1979, a month after he was deposed by President Sassou-Nguesso. Their cases have also been taken up for investigation by Amnesty International.

A number of refugees from neighbouring Zaire were detained without charge during 1982 and one of them, Eke Akanga N'Koy, was forcibly repatriated to Zaire in November 1982 and immediately arrested there. Others detained included Kabeya Tshang and Mupesse Impobakut, refugees who had previously been imprisoned for political reasons in Zaire and whose cases had been taken up by Amnesty International. In December 1982 Amnesty International was informed that a Ugandan asylum-seeker had been tortured at the security police headquarters in Brazzaville after being accused of espionage.

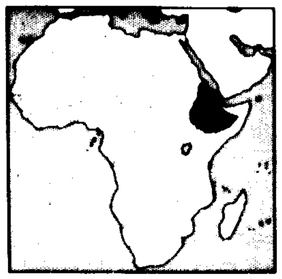
The use of the death penalty also gave cause for concern. At least one death sentence was imposed for a criminal offence and two people convicted of murder during 1981 are reported to have been executed in October.



Djibouti

On 3 January the government released former Prime Minister Ahmed Dini and six other leaders of the *Parti populaire djiboutien* (PPD), Djibouti People's Party. They had been detained without defined legal status since September 1981 when all 13 leaders of the newly formed PPD were arrested. President Hassan Gouled publicly accused them of subversion and anti-state activities but none was charged with any offence or brought to court. Six were released in October 1981 after the constitution had been amended to make Djibouti a one party state with the ruling *Rassemblement populaire pour le progres* (RPP), People's Progress Party, as the only legal political party. Amnesty International had appealed to the government for their unconditional release as prisoners of conscience.

In February 1982 Amnesty International received reports that 88 Ethiopian refugees, mainly students, had been arrested in the capital, Djibouti-ville, put on a train to the Ethiopian border under guard, and handed over to the Ethiopian authorities on 16 February. Some were said to be recognized refugees, while others had applied for asylum. Amnesty International expressed concern to the Djibouti Government at the danger caused by these expulsions to the lives and liberty of the refugees. The government claimed in its reply that the 88 foreigners expelled to Ethiopia and a further 100 expelled to Somalia were illegal entrants involved in robbery and armed attacks. Amnesty International's further interventions, referring to the names of recognized refugees among those expelled, who had reportedly been subsequently imprisoned in Ethiopia, received no response. Amnesty International was investigating reports in December 1982 of further arrests and expulsions of Ethiopian asylum-seekers.



Ethiopia

Amnesty International's concerns included the prolonged detention without trial of prisoners of conscience, widespread arrests made on political grounds, the government's continued failure to account for several prisoners who "disappeared" in custody in 1979, and allegations of torture and harsh treatment of prisoners.

The continuation of armed conflict in Eritrea, Tigre, parts of the Ogaden and certain other areas severely affected the human rights of civilians in those areas and made it difficult to obtain details of human rights violations. Allegations were received of imprisonment without trial and extrajudicial executions of civilians, in Eritrea in particular, as government forces fought armed opposition groups seeking territorial independence.

Amnesty International appealed for the release of prisoners of conscience, some of whom were held because of their position in the former government. Many were imprisoned because they belonged to a particular ethnic group (or nationality) and were therefore suspected by the authorities of association with armed opposition organizations. The prolonged internal armed conflict and the government's failure to publish any information on political imprisonment made it impossible to estimate the number of political prisoners in the country. Several thousand were allegedly in prison for political reasons but Amnesty International was unable to confirm this. A major amnesty of political detainees took place in September.

Over 50 senior civil servants of Eritrean origin were reportedly arrested in Addis Ababa in early 1982, soon after the launch of the government's "Red Star" military campaign against the Eritrean armed opposition movements. In the rural areas many people who refused to be conscripted into the army to fight in the campaign were alleged to have been arrested.

Several priests and members of the Ethiopian Evangelical Mekane Yesus Church were imprisoned, churches closed and church property seized – particularly in Wollega District in the west. The government stated that it upheld the right to freedom of religious worship, but in January the Foreign Minister reportedly accused certain churches of "anti-revolution, anti-government, and anti-people activities". Several leaders of the Mekane Yesus Church, including its President Emmanuel Abraham, were arrested and held for a short period in January. Others were held for longer periods, such as the Reverend Olana Lamu, President of the church's western synod, who was arrested in

September in Wollega Province, allegedly ill-treated, accused of "writing anti-revolutionary statements and posters" and reportedly still detained without trial at the end of 1982. Adherents of other, smaller churches, especially those with international connections such as Baptists, Mennonites and Seventh Day Adventists, were subjected to similar actions by the local authorities.

Three teachers of the Beta Yisrael community (known as *Falashas* or Ethiopian Jews) were arrested in January and allegedly tortured. Amnesty International's inquiries on their behalf received no response. They were released in July. Thirty other members of the community were reportedly still held in Gondar prison at the end of 1982, accused of planning or attempting to leave the country illegally. Attempting to leave the country without permission is an offence categorized as "betraying the revolution" and punishable by lengthy imprisonment or even death, if committed "under grave circumstances" according to a penal code amendment of April 1982.

Amnesty International received reports that 88 people who had fled to Djibouti in previous months and applied for asylum there – some of whom were recognized refugees – were forcibly returned to Ethiopia on 16 February and immediately arrested by the Ethiopian authorities. However, the Commissioner for Relief and Rehabilitation, Shimelis Adugna, stated in response to Amnesty International's inquiries that none of this group had been arrested or detained. Amnesty International sought to investigate these reports further.

On 11 September the Provisional Military Government released 716 prisoners to mark the eighth anniversary of the 1974 revolution, when the government of Emperor Haile Selassie was overthrown. Amnesty International welcomed the amnesty and requested details of those released, appealing at the same time for a general amnesty for all political prisoners. No reply was received. Details of the amnesty were not published but a substantial number of political prisoners were released, including the remaining 55 senior officials of the former government who had been detained without charge or trial since 1974 and held in the cellars of the former Menelik Palace. Among them were former Crown Councillor Germatchew Tekle Hawariat; the then Dean of Holy Trinity Cathedral, Hapte Mariam Workneh; and former government ministers, members of parliament, senior civil servants, diplomats, and high-ranking military officers. All political detainees held in the headquarters of the 4th army division were said to have been either released or transferred to other prisons. A small number of women detainees were released including some arrested in 1974.

Amnesty International continued to appeal for the release of prisoners of conscience who did not benefit from this amnesty. They

included relatives of the late Emperor who were arrested in 1974 – his daughter Princess Tenagneworq Haile Selassie, a daughter-in-law, and four grand-daughters and three grandsons – and the widow and five children of *Ras* (Prince) Asrate Kassa (who was summarily executed in November 1974). Rebecca Asrate, who was suffering from a skin disease, was finally allowed to go into hospital for treatment. Since 1981 Amnesty International had appealed for her to receive medical care.

Other long-term political detainees included members of the banned All-Ethiopia Socialist Movement (*Me'isone*) and the Ethiopian People's Revolutionary Party (EPRP). An unknown number of Eritreans, Tigreans and Oromos arrested in previous years for alleged association with armed opposition movements were also believed to be still detained in Asmara, Addis Ababa and other towns, but few details were available. Many Oromo civil servants and intellectuals arrested in Addis Ababa in February 1980 had not been tried or released by the end of 1982.

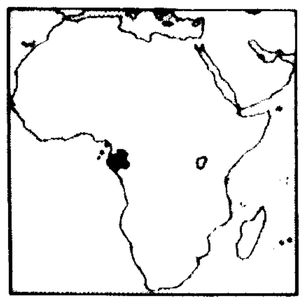
The "disappearances" in 1979 of 15 political prisoners and the Reverend Gudina Tumsa, head of the Ethiopian Evangelical Mekane Yesus Church, who was abducted in Addis Ababa by unidentified gunmen believed to be government agents, were still unresolved. Amnesty International had submitted the cases to the United Nations Working Group on Enforced or Involuntary Disappearances. The working group reported on 31 December 1981 the Ethiopian Government's statement that the Reverend Gudina Tumsa had never been arrested but had left to join the opposition Oromo Liberation Front (OLF), and that another (believed to refer to former government minister Kassa Wolde Mariam) was still in detention. Amnesty International's continued inquiries addressed to the Ethiopian authorities received no response. No evidence emerged to support the government's claim regarding Reverend Gudina Tumsa or to establish whether any of the 10 detained former officials were still alive and in detention. Amnesty International received reports that the five "disappeared" *Me'isone* leaders were secretly detained, but this could not be verified.

The majority of political prisoners were detained without charge or trial and without legal formalities. The cases of political detainees were said to be reviewed in secret by a special committee consisting of officials of the Central Investigatory Organ (security officers who investigate and interrogate prisoners), the police, the prison administration, and the Ministries of Public Security and of Law and Justice. No details of the review procedure were known.

Amnesty International was concerned about continued allegations of torture and harsh treatment of political prisoners. In Addis Ababa

most of those arrested on political grounds were taken for interrogation to the headquarters of the Central Revolutionary Investigation Department (known as the "third police station"). Prisoners there were reportedly often tortured during interrogation. Prisoners were held incommunicado in dirty overcrowded cells without medical treatment or proper sanitary or toilet facilities. Some prisoners were said to have been held there for over a year before being transferred to other prisons. Conditions for political prisoners transferred to military police headquarters in Addis Ababa were said to be worse.

Some political prisoners were reportedly transferred to "rehabilitation centres" for political re-education. Amnesty International received allegations of harsh treatment in rehabilitation centres in Tessenei and Makalle, in the north. Reports were received of torture and summary execution but Amnesty International was unable to confirm them. Conditions in the central prison in Addis Ababa, known as "Alem Bekagne" (meaning "End of the World"), where many political detainees were held, were poor. Relatives brought prisoners their daily food and could exchange short censored letters with them, but visits were very rarely permitted, and the food provided by the prison authorities for prisoners whose families could not send food daily was meagre. The 55 former officials released in September had been detained for eight years in the damp underground cellars of the former Menelik Palace with only short periods of exercise each day in the open air. Many suffered from respiratory and nervous complaints as a consequence. Medical facilities were generally inadequate, and long delays in obtaining medical treatment or hospital admission were frequent. Access to political prisoners by international humanitarian organizations had not been granted since 1975.



Gabon

Amnesty International was concerned about the imposition of prison sentences of up to 20 years' hard labour upon 29 prisoners of conscience convicted by the Court of State Security on 26 November. They were convicted of *atteinte a la sûrete de l'Etat*, threatening state security, and *outrage au president*, insulting the President. No evidence of violent action or intent was produced against the defendants during their trial, which was observed by a delegate of Amnesty International. The organization was also concerned that the proceedings before the *Cour de sûrete de l'Etat*, Court of State Security, did not conform to internationally recognized standards. Amnesty International was further preoccupied by reports that political detainees were tortured, beaten and ill-treated, and by the public execution on 1 December of three people convicted of murder.

The government signed the African Charter on Human and Peoples' Rights on 26 February 1982.

Amnesty International sought the release of 29 adopted prisoners of conscience arrested in November and December 1981 and March 1982. Initially the organization had received details of 23 of this group. All 29 were detained for allegedly having supported an opposition group, the *Mouvement de redressement national* (MORENA), the Movement for National Recovery. MORENA documents criticized the government and called for the amendment of the constitution to permit an opposition party. Amnesty International estimated in December 1981 that over 100 people had been detained on suspicion of being associated with MORENA, but that many had been released shortly afterwards. In March 1982, during the visit to Gabon of Pope John Paul II, another four or six alleged MORENA sympathizers were arrested following the circulation of tracts critical of the government.

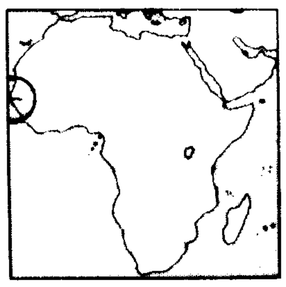
On 24 July President El-Hadj Omar Bongo indicated during a press conference that 22 people had been arrested in connection with MORENA and would be tried. On 10 November, 37 people appeared before the Court of State Security. An Amnesty International observer was present throughout the trial. The trial was adjourned until 17 November so that defendants' lawyers, who were officially appointed (*commis d'office*), could study their briefs. On 26 November, 13 defendants were sentenced to 20 years' hard labour plus 10 years'

banishment from Libreville, the capital, and 5 years' suspension of civil rights. This group included Jean-Marc Ekoh, a leading educationalist and former minister; Jérôme Nguimbi Mbina, a member of the National Assembly; Jean-Pierre Nzoghe Nguema, the rector of Omar Bongo University; Jules Mba and Simon Oyono-Aba'a, former diplomats. Sixteen other defendants were sentenced to shorter terms in prison or fined. Eight were acquitted. Amnesty International considered that the trial did not conform to internationally recognized standards, in particular because little evidence was produced other than statements from prisoners who alleged that they had been ill-treated. No proof of violent action or intent was produced in support of the charge of threatening state security. No substantial evidence was produced against those defendants who did not admit membership of MORENA. On 29 November Amnesty International publicly appealed to President Bongo to release the 29 prisoners of conscience.

At the end of the year Amnesty International was still trying to clarify the situation of eight other detainees, alleged to be MORENA sympathizers, who were not tried and whose release had not been reported. It also continued to appeal for the release of Etsine Serge Edouard, a prisoner of conscience arrested in 1981 for distributing tracts unconnected with MORENA, and took up for investigation the case of Abbe Ngwa-Nguema, a Roman Catholic priest and teacher detained in October 1982 apparently on account of his criticism of the government.

Some defendants described at their trial in November 1982 how they had been kept naked and without food during the early part of their detention at Gros Bouquet prison in Libreville. Some of them were reported to have been tortured, including by electric shocks, starvation and beatings. All the defendants were reported to have been kept incommunicado in solitary confinement. Vincent Nguimbi was reported to have been severely beaten after his arrest in December 1981. According to unofficial sources, Michel Ovono was subjected to electric shocks following his arrest in March 1982. Amnesty International was also concerned that sick prisoners had not received adequate medical attention. Two of those sentenced to 20 years' hard labour on 26 November – Moubamba Nziengui and Luc Bengono-Nsi – appeared to be psychologically disturbed during their appearance in court. Amnesty International requested the authorities to arrange for both men to be examined by a qualified doctor.

On 1 December three men convicted of murder – Ferdinand Nzigou, Assala Souleymane and Christophe Mikolo Mombo – were publicly executed by firing-squad in the first public execution since 1979. The executions were televised. Amnesty International informed President Bongo of its concern over the executions and appealed to him to exercise his right of clemency when future death sentences came before him for review.



Gambia

Throughout 1982 the authorities pursued their policy of bringing to trial individuals charged with offences committed during the failed coup attempt of July 1981, when at least 500 people died and many hundred others were seriously wounded. In all, some 120 individuals were tried during the year before the Special Division of the Supreme Court on charges such as treason, kidnapping, robbery, murder and rape. Of those tried, over 100 were convicted and sentenced, 28 receiving the death sentence. Eleven of the accused were acquitted and released, including the leader of the main opposition party, Sheriff Dibba. At the end of 1982 the trials of 60 individuals charged with treason were in progress. According to official figures, 52 people were arrested and detained in 1982 in connection with the coup attempt, thereby bringing the total number detained since August 1981 to 1,084. Of these, more than 700 detainees were officially reported to have been released during the year, in addition to over 100 detainees released before the end of 1981. Every detainee had passed before the Review Tribunal, established to advise the authorities on the "necessity or expedience" of continued detention. Official sources stated that 82 individuals remained in detention without trial at the end of the year.

In early January 1982 an Amnesty International observer attended two trials before the Special Division of the Supreme Court. In one, two individuals were accused of robbery and the other involved three officers of the Field Force, the army, and four civilians, all accused of treason and of taking up arms on the side of the rebels. The second trial was not completed at the time of the observer's departure from the Gambia.

The report of Amnesty International's trial observer, which was sent to the Gambian authorities in June 1982, concluded that the trials observed satisfied the principal international standards for a fair trial. However, the report concluded that although no policy of using detention powers for political ends was in operation, there appeared to have been a number of abuses of detention, some reportedly on political grounds. In August 1981 powers were introduced to allow the detention of individuals suspected of involvement in the failed

coup attempt. These were broadened retroactively in September 1981 to allow detention on suspicion of "acts prejudicial to the public safety or to public order", providing a legal basis for the detention of political opponents to the government. Also, the President delegated to the police his constitutionally-conferred powers to order detentions in accordance with his "general or specific directions". Both these developments appeared to have facilitated abuses of detention powers. By the end of 1982 all the individuals reportedly detained improperly were either released or on trial, and none were adopted by Amnesty International as prisoners of conscience.

Amnesty International's observer expressed concern that some detainees remained in detention despite having been recommended for release by the Review Tribunal. Few detainees appearing before the Review Tribunal were assisted by defence counsel. However, this did not appear to be due to any policy by the authorities. Concern was also expressed by the delegate about the practice of allowing the state counsel to participate in the deliberations of the tribunal after the defendant (and defence counsel, if any) had withdrawn, which cast doubts on whether the tribunal was fully independent and impartial.

Although Amnesty International's trial observer concluded that the trials he observed before the Special Division of the Supreme Court were fairly conducted, concern was expressed in his report that the majority of those appearing were not represented by defence counsel. This did not, in the opinion of Amnesty International's observer, render unfair the first trial he observed, in which the defendants were unassisted, but appeared to deprive them of a full cross-examination of prosecution witnesses. Concern was also expressed about the short time between formal charging and trial, from the stand-point of the preparation of the defence: in the second trial observed by Amnesty International's observer, counsel was assigned by the court only days before the opening of the trial.

In June 1982 Amnesty International sent the authorities the report of its mission to the Gambia (see *Amnesty International Report 1982*) in late December 1980 and early January 1981. This was to observe part of the trial of six members of a political group called the Movement for Justice in Africa (MOJA), which was banned on 30 October 1980. The six accused were arrested on the morning of 31 October 1980 and charged with "managing an unlawful society" and "possessing firearms and ammunition". The charges against four of the accused were dropped in April 1981, but proceedings continued against the two remaining defendants – Koro Tijan Sallah and Fakebba Juwara. On 10 July 1981 they were found guilty of the first charge, ordered to pay a fine and released. The magistrate's ruling on the case was not available to Amnesty

International until early 1982, following which a report on the trial was completed. This report concluded that, although the trial was conducted fairly in most respects by the magistrate, the verdict contravened the constitutional prohibition against the retroactive application of criminal law. No evidence of the defendants' "managing" MOJA between the banning of MOJA and the arrest of the accused had been offered by the prosecution. Their conviction was based solely on their continuing possession at the time of their arrest of certain items linked to MOJA, such as writings and seals, which the report concluded was equivalent to convicting them for managing MOJA before its banning.

In late August 1982 an Amnesty International mission visited the Gambia to discuss its two trial observation reports with the authorities. Meetings were held with President Sir Dawda Jawara, Fafa Mbai, Attorney General and Minister of Justice, Alieu Badji, Minister of the Interior, and with high-ranking officials of these ministries, the police and the prison service. Most of the discussions concentrated on the report of the trial observation mission in early 1982, on the use of detention powers since the mission and on the conditions under which individuals arrested since the failed coup attempt were being held. The authorities stated that politically-motivated abuses of detention powers had not taken place and that police powers had always been controlled by the President of the Republic or the Minister of Justice. Amnesty International's delegates suggested that such abuses appeared to have taken place in a number of cases, including those of Demba Bojang and Alhaji Kausa Jammeh, both of whom were detained having reportedly been denounced for political ends. The authorities did not comment on these two cases at the meeting where they were raised. Amnesty International's delegates informed the authorities that they had been shown detention orders signed solely by police officers, but were given assurances that such orders would not have been issued without the prior assent of the President or the Minister of Justice. The authorities accepted the report's conclusion that the Review Tribunal's recommendations for release had sometimes not been implemented, and informed the delegates that the Ministry of Justice had to approve the tribunal's recommendations before they were sent to the President. The authorities also accepted that the practice of allowing state counsel to be present at the deliberations of the Review Tribunal should be ended as it reflected poorly on the independence of the tribunal. The authorities accepted that some defendants were not represented but stressed that the state was obliged to ensure defence counsel only when the accused faced a possible death sentence. Legal aid had been provided in trials before the Special Division of the Supreme Court whenever this penalty was

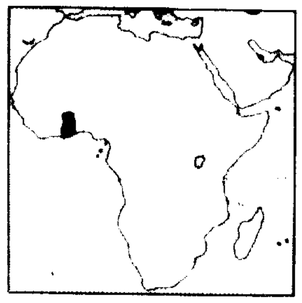
applicable. The authorities denied the report's conclusion that defence counsel were allowed insufficient time to prepare their cases and stated that adjournments were invariably granted at the first sitting. Amnesty International's delegates confirmed this.

Amnesty International's delegates expressed concern to the authorities that the conditions under which detainees and convicted prisoners arrested after July 1981 were being held at Mile Two prison, Banjul, contravened internationally-recognized standards in several important respects. All 36 prisoners sentenced to death since December 1981 were believed to be held in leg-irons, which are specifically banned by international standards. These prisoners were also reported to have been held in solitary confinement since their conviction. All inmates at Mile Two prison were, according to Amnesty International's information, deprived of their rights to visits and to correspondence. After discussion the authorities stated that the Inspector General of Police would investigate Amnesty International's information. In subsequent meetings the authorities informed the delegates that this investigation had been completed, but had confirmed only a part of Amnesty International's information, namely that the prisoners sentenced to death were being held in leg-irons. However, the authorities stated that for reasons of security, the use of leg-irons would not be discontinued, despite the authorities' recognition that the use of leg-irons constitutes cruel, inhuman and degrading treatment. The authorities also stated that the 36 prisoners in leg-irons were held in separate cells, rather than in solitary confinement, and that some communication between these cells was possible. The authorities denied that all inmates in Mile Two prison were deprived of visits and correspondence.

The authorities contested the main conclusion of Amnesty International's report on the trial of MOJA members: that the convictions resulted from a retroactive application of the law. The authorities also stated that the report contained a number of subsidiary conclusions which were erroneous due to insufficient information or misinterpretation.

Shortly before the end of 1982 Amnesty International was informed that the rights to visits and correspondence had been restored for all inmates at Mile Two prison. The use of leg-irons was banned by presidential order on 30 December 1982.

Amnesty International was concerned about the 36 death sentences imposed between late December 1981 and June 1982. Sixteen of these sentences were confirmed on appeal and Amnesty International urged the authorities to commute them. None of these prisoners had been executed by the end of 1982.



Ghana

Amnesty International was concerned about reports of arbitrary arrest, beatings and killings by members of the security services, particularly the army. The government of Flight-Lieutenant J. J. Rawlings publicly condemned the abuse of military powers on several occasions and instituted legal proceedings against those accused of political killings in one case. Amnesty International was also concerned about the detention without trial of political opponents of the Provisional National Defence Council (PNDC), including up to 492 former members of the previous government of Dr Hilla Limann or of political parties which had existed under his government. Other political opponents of the PNDC arrested in 1982 included people accused of plotting against the government – at least six in July 1982 and at least 22 in December.

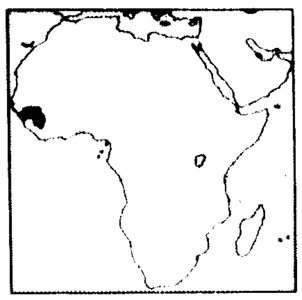
The PNDC government was installed on 31 December 1981 as a result of a military coup, and a high level of violence continued throughout 1982. The most widely reported of the political killings during 1982 occurred on 30 June when three High Court judges and a retired army major were abducted from their homes during curfew hours and shot. The PNDC in July instituted a commission of inquiry headed by a judge, Justice Azu Crabbe. Although the inquiry was still in progress at the end of 1982, five people had already been charged with murder and complicity to murder: two soldiers, two former soldiers and Joachim Amartey Kwei, a member of the PNDC at the time of the killings.

On 2 March the PNDC issued a Preventive Custody Law (PNDCL 4) naming 492 persons to be taken into preventive custody for an indefinite period. A number of these detainees were released during the year. On 1 October Amnesty International wrote to Flight-Lieutenant Rawlings to express its concern about the detention without trial of people who had held public or political office during Dr Limann's government. The PNDC subsequently released six former ministers, 18 former members of parliament and 32 former members of Military Intelligence. It also announced that detainees against whom there were no adverse reports would be released in due course, and that the cases of prisoners in poor health would be reviewed. A medical team appointed by the government subsequently examined both criminal and political prisoners in a number of detention centres and produced a list of those whom they considered eligible for

release on medical grounds. Amnesty International did not receive any information as to how the cases of political prisoners were reviewed other than on medical grounds. On 31 December the government announced the release of a further 22 political detainees including two – Yaw Adu-Larbi and Frederick Blay – whose arrests had not been officially announced. On the same day the government announced the release of 529 prisoners on the grounds of ill-health. A review committee which was reported to include Flight Lieutenant Rawlings specifically excluded from release on medical grounds people convicted by the Armed Forces Revolutionary Council in 1979. It was reported that some 20 former military personnel convicted of economic crimes by special courts in trials which Amnesty International considered to be unfair were still in prison at the end of 1982. Some of these had been originally listed as suitable for release on medical grounds. At the end of 1982 at least 22 of the people named in PNDCL 4 were still detained without trial.

Three politicians closely associated with Dr Limann's People's National Party – Kwesi Armah, Nana Okutwer Bekoe III and Krobo Edusei – were convicted of economic crimes in October by the Public Tribunal, which was inaugurated by Flight-Lieutenant Rawlings on 26 August. The Public Tribunal was designed to deal with crimes against the national interest, both economic and political. It was composed of both jurists (although of relatively little experience) and lay members. Its constitution permitted no right of appeal and those who appeared before it were forbidden to engage in technical arguments. It was boycotted by the Ghana Bar Association. The chairman of the Public Tribunal, George Agyekum, declared in November that he would henceforth impose death sentences for smuggling. Nevertheless, the Public Tribunal was not known to have passed any death sentences either before or after that declaration. Amnesty International asked the government for a visa to permit its delegate to observe sessions of the Public Tribunal. No reply was received.

Amnesty International investigated reports that both political and criminal detainees were beaten by soldiers during or shortly after their arrest. Such ill-treatment was most commonly alleged at Burma Camp, the main military barracks.



Guinea

Amnesty International's main concerns were the continuing refusal of the authorities to provide information about the fate of some 2,900 "disappeared" prisoners, the detention without trial of suspected political opponents of the government and poor prison conditions. In February 1982 Guinea ratified the African Charter on Human and Peoples' Rights.

The authorities continued throughout 1982 to withhold information on the fate of some 2,900 political detainees who had "disappeared" in prison after being arrested between 1969 and 1976. According to Amnesty International's information, the last of an estimated 4,000 detainees arrested following the real or alleged plots of 1969, 1970 and 1976 were released in late 1980, and grave fears existed for some 2,900 detainees who were reported to have "disappeared" in prison. Many were believed to have died as a result of malnutrition and disease, but large numbers were probably killed, often by means of the "black diet" – total deprivation of food and water until death. In December 1981, at the time of an Amnesty International mission to Guinea, the authorities agreed to provide information on the fate of 78 named individuals, known not to have been sentenced to death and not reported to have been released. All had been arrested between 1969 and 1976 for alleged "counter-revolutionary" activities. Unofficial reports to Amnesty International had suggested that these detainees had been secretly and extrajudicially executed in prison. Among the 78 prisoners listed were former government ministers, civil servants, army officers, teachers, lawyers and medical personnel. They included Conde Ousmane, an army major, Toure Kerfalla, an administrative clerk, and Diallo Telli, a former Ambassador, Minister and first Secretary General of the Organization of African Unity (OAU).

In January 1982 the authorities first made public details of the fate of certain named "disappeared" prisoners. In response to appeals from a Member of the European Parliament, it was announced that seven Guineans married to European women and arrested after the Portuguese-led invasion of Conakry of November 1970 had been executed on 25 January 1971. According to the authorities, another prisoner had escaped by that date and had not been caught. Amnesty International informed the authorities that it found these disclosures unsatisfactory. Amnesty International's information indicated that of the seven prisoners allegedly executed in January 1971, three were not in fact arrested until mid-1971. Official documents dating from

1971 indicate that only three of the seven were sentenced to death. According to unofficial sources, the eighth prisoner was arrested and extrajudicially executed in 1972.

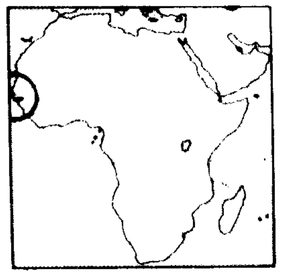
In early October 1982 Amnesty International made public the list of 78 "disappeared" prisoners which it had earlier submitted to the government and appealed publicly to the authorities to account for all 2,900 "disappeared" prisoners, including those named on the list. The following day a broadcast on Guinea's state-operated radio attacked the objectivity and motivation of Amnesty International. The broadcast did not, however, deny the substance of Amnesty International's public statement or provide any information on the fate of the "disappeared" prisoners. In renewed appeals Amnesty International called on the authorities to rescind their stated policy of secrecy on political detention, and again urged them to supply information on the fate of the 78 "disappeared" prisoners. No replies had been received by the end of 1982.

Two prisoners of conscience – Camara Senni, nicknamed "La Presse", and Senkoumba Diaby, nicknamed "Garagiste" – were released in May 1982, as were two others also detained without trial since August 1977 whose cases were being investigated by Amnesty International. They had been arrested after demonstrations by market women against state restrictions on private trading. Amnesty International also learned of the release in early 1982 of four detainees, including two whose cases were being investigated, who had been held without trial since August 1979, when the authorities claimed to have discovered a plot to destroy public buildings with explosives. At the end of the year, Amnesty International was still investigating the case of Bah Mahmoud, also arrested in August 1979 but not believed to have been released. At least 10 other people arrested at the same time were believed to have died in Camp Boiro, the main centre of political detention in the capital, Conakry, after being subjected to the "black diet" (total deprivation of food and water). Amnesty International's investigations also continued throughout 1982 regarding individuals detained following a grenade explosion at the *Palais du peuple* (People's Palace) in May 1980 and attempted sabotage at Conakry airport in February 1981. Some 200 people were initially arrested; most were reportedly released after interrogation, but Amnesty International maintained its inquiries into the cases of eight detainees. Of these, only Barry Mouctar, a Guinean exile repatriated forcibly and extrajudicially from the Ivory Coast in April 1981, was still believed to be detained at the end of 1982. Amnesty International also inquired about Cheik Mohamed Kone and at least two other Guineans forcibly and extrajudicially repatriated in November 1981 from Liberia, where they had reportedly been linked to a political group which had called in 1981 for an end to the one-party system in Guinea. They were believed to be detained without trial in Camp Boiro.

At the time of the Amnesty International mission to Guinea in December 1981, the authorities agreed to provide detailed information on the judicial status of 22 detainees on whose behalf the organization was working. By the end of 1982, however, no information had been provided by the authorities. At a news conference in France on 20 September 1982, President Sekou Toure reportedly stated that there were no prisoners of conscience held in Guinea and that his government was prepared to receive an "international tribunal" in Guinea to investigate alleged human rights violations in his country. There were no further reports regarding such an investigation by the end of the year.

According to reports received by Amnesty International, officials of the administration and of the *Parti democratique de Guinee* (PDG), Guinean Democratic Party, the country's sole political party, continued to make widespread use of detention to suppress opposition to the government or the PDG. Such cases of political detention, often for several years, appeared to be imposed for minor offences, such as criticizing the PDG or failing to carry out a PDG directive, and were not subject to any form of judicial intervention or remedy for the detainee. Given the apparently widespread use, both in the urban and the rural areas, of detention for political ends and the official policy of secrecy with regard to political detention, it was not possible for Amnesty International to assess the numbers of such detainees.

Amnesty International was concerned about reports that conditions in several prisons, particularly Camp Boiro in Conakry and Camp Keme Boureima in Kindia, were unacceptably harsh. Standards of sanitation, nutrition and medical care reportedly remained poor. Detainees appeared to be held in small, poorly lit and poorly ventilated cells, and to be deprived of exercise. In an interview broadcast on French television on 14 September 1982, President Sekou Toure stated that the International Committee of the Red Cross was free to inspect Guinea's prisons at a time of its choosing. However, no such visit was known to have taken place by the end of 1982.



Guinea-Bissau

Amnesty International was concerned by the continuing detention without charge or trial of former senior officials of the deposed administration of President Luiz Cabral and other suspected political opponents of the government.

A considerable number of former officials were arrested when President Cabral was overthrown in November 1980 and accused by the new government of complicity in extrajudicial executions. During 1981 and 1982 at least 25 such detainees were known to have been released, apparently because inquiries had shown that they had not been involved in the killings. However, by the end of 1982 at least 15 of these former officials were still in custody, although no charges had been brought against them. The detainees included the former Minister of Defence, Umaro Djalo, who was arrested at the time of the coup, and Constantino Texeira, former Minister of the Interior. He was absent from the country at the time of the coup but returned soon afterwards and was immediately arrested. He has been publicly accused by President João Bernardo Vieira, the former Prime Minister who replaced President Cabral, of ordering the extrajudicial execution of four prisoners who had fought with the Portuguese colonial forces. Both detainees were reported to be held incommunicado at the *Prisão da Marinha*, Naval Prison, in Bissau, where they were said to be in poor health in late 1982 as a result of harsh conditions.

Other former officials still in custody at the end of 1982 included former members of the security police and both commissioned and non-commissioned officers in the armed forces. They were held at Bra detention camp near Bissau. One of them, former police inspector João Saul Carvalho das Neves Jacob, was reported to have died at the camp in May. According to some sources, his death might have been the result of ill-treatment.

In November President Vieira announced the release of five former officials. He said that an official commission of inquiry set up to investigate the killings under the administration of President Cabral had decided that they had not been involved.

Three other former officials were arrested in late June and accused of plotting against President Vieira. Former Minister of Health, João da Costa, had previously been detained for some months after the November 1980 coup and released uncharged. He was known to have been involved in serious disagreements with President Vieira before

the coup in 1980 and was said to have been severely beaten after both his arrests. The two other officials were a former Ambassador and a former Interior Ministry official.

In an interview published in a Senegalese newspaper in July 1982, President Vieira claimed that the human rights of the three suspects were being respected and that their cases were the subject of judicial investigations. However, by the end of 1982 no formal charges were known to have been brought against them.

In October five former officials arrested in March 1981 were tried on charges of embezzlement and economic sabotage. They had all been involved in administering the *Armazens do Povo*, a network of state-owned shops responsible for selling food and consumer goods before the November 1980 coup. Four were convicted and sentenced to periods of imprisonment. They included Armando Ramos, former Minister of Trade, who had been responsible for setting up the shops in the early 1970s. He was convicted on embezzlement charges and sentenced to eight years' imprisonment. Opposition sources claimed that the embezzlement charges were fabricated to justify the imprisonment of former officials and the gradual restoration of commerce into private hands.

The status of a former political prisoner, Rafael Barbosa, a former leader of the present ruling political party between 1959 and 1962, remained unclear during 1982. His release from prison, where he was serving a 15-year prison sentence, was originally announced by President Vieira at the end of 1980. However, he was reported to have been rearrested in March 1981. At the beginning of 1982 he was said to have been released from prison, but he apparently remained under house arrest.

Kenya

Amnesty International was concerned about the indefinite detention without trial of prisoners of conscience and the imprisonment of certain political opponents on charges of sedition. Amnesty International's concerns also included cases of "disappearance", allegations of ill-treatment of prisoners, harsh prison conditions, and the use of the death penalty.

An armed coup attempt was made on 1 August by sections of the Kenya Air Force (KAF). A radio announcement by the rebels stated that a "People's Redemption Council" had taken power. The attempt

failed after some hours of fighting, mainly in Nairobi, between the rebels and troops loyal to the government. The government stated that 129 people were killed. Unofficial sources claimed that the death toll was at least several hundred, including many civilians.

Before the coup attempt eight people had been detained without charge or trial under the Preservation of Public Security Act – the first use of this measure since President Daniel arap Moi assumed office in 1978. The government gave no reasons for their detentions. George Anyona, a former member of parliament detained from 1977 to 1978 and adopted then by Amnesty International as a prisoner of conscience, was arrested on 30 May 1982. He had publicly advocated the formation of a second political party, and had reportedly been about to announce the formation of such a party and to apply for its registration. The authorities announced his detention on 2 June. A bill published the next day to amend the constitution to make Kenya a one-party state was unanimously approved by parliament on 9 June. Until then it had not been illegal to advocate or prepare to form another political party, although no party other than the ruling Kenya African National Union (KANU) had been allowed to exist since 1969, when the opposition Kenya People's Union (KPU) was banned. John Khaminwa, a lawyer, was also arrested and detained during this period. He appeared to have been detained solely for his professional legal activities in representing George Anyona and other clients in cases politically embarrassing to the government or to individual high officials. Five university lecturers were also arrested in June after President Moi had accused certain unnamed lecturers of "teaching subversive literature aimed at creating disorder in the country". The detained lecturers were Al-Amin Mazrui, a linguistics lecturer and playwright; Edward Oyugi, lecturer in educational psychology; Kamoji Wachiira, a bio-geographer and tree specialist; Mukaru Ng'ang'a, a historian and unsuccessful parliamentary candidate; and Willy Mutunga, a law lecturer, who was initially arrested and charged with sedition – the charges were later dropped but he was then immediately detained.

Amnesty International expressed concern to the authorities on 2 June at the use of indefinite detention without trial in violation of the International Covenant on Civil and Political Rights, which Kenya has ratified, and urged that George Anyona be charged and tried or released. Amnesty International went on to appeal for the unconditional release of the seven other detainees whom it adopted as prisoners of conscience. Particular concern was expressed about the health of Al-Amin Mazrui, who suffered from heart disease, chronic asthma and high blood pressure.

Amnesty International was investigating the cases of two other

critics of the government imprisoned for alleged possession of a seditious publication. Wang'ondu wa Kariuki, a journalist and unsuccessful parliamentary candidate, was arrested on 15 May and sentenced to four-and-a-half years' imprisonment on 19 July, on a charge of possessing *Pambana* (Struggle), a clandestine anti-government pamphlet. He denied the charge, claiming that the pamphlet had been placed among his papers by the police after they had searched his house. Maina wa Kinyatti, a history lecturer at Kenyatta University College, was arrested on 3 June and charged with possession of a seditious publication, which was not specified until his trial in October. He was convicted and sentenced to six years' imprisonment. He denied the charge, claiming that the alleged seditious document – a student leaflet circulating in 1980 – had been inserted later among papers removed by the police when searching his house.

The "disappearance" in Kenya of three Sudanese and two Ugandan nationals, who had fled abroad for political reasons but had apparently not sought asylum in Kenya, caused concern for their safety. They were later discovered to have been detained in their countries of origin, to which they had evidently been secretly deported, without legal process and at the request of their respective governments. They included David Dak Gash, a Sudanese former diplomat, who was reportedly arrested in Nairobi on 14 March, and Balaki Kirya, the political leader of the Uganda Freedom Movement (UFM), a Ugandan guerrilla organization, who was reportedly arrested in Nairobi on 24 July. The Kenyan police denied that they had been arrested or held in their jurisdiction. The Ugandan authorities claimed that Balaki Kirya, who appeared in the Uganda High Court on 27 July and was charged with treason, had been arrested after entering Uganda of his own volition. Amnesty International's inquiry to President Moi on 28 July about the reported arrest in Kenya of Balaki Kirya received no response.

The coup attempt of 1 August by air force personnel led to the arrest of virtually the entire air force – over 2,000-strong – although the two self-confessed coup leaders, a private and a sergeant, fled to Tanzania where they were granted asylum in October. Trials by court-martial of members of the air force, which was subsequently disbanded, began in September. Defendants were permitted defence lawyers, and had the right of appeal to higher military authorities. Most pleaded guilty. By the end of 1982 four defendants had been sentenced to death for treason, and over 700 to prison terms ranging from six months for neglect of duties to 25 years for mutiny. Several hundred civilians were convicted in the civil courts on charges of looting and celebrating the coup, and imprisoned for up to two years.

Koigi wa Wamwere, a member of parliament and former detainee

(1975 to 1978), was arrested on 6 August and immediately detained under the Preservation of Public Security Act. The government gave no explanation but Amnesty International believed that he was imprisoned for his parliamentary criticism of the government and not for involvement in the coup. Amnesty International adopted him as a prisoner of conscience. Oginga Odinga, former Vice-President of Kenya and former prisoner of conscience (1969 to 1971), was placed under a restriction order on 21 August and formally placed under house arrest under the Preservation of Public Security Act on 8 November, also without explanation. On 24 September Titus Adongosi, a Nairobi University student leader arrested immediately after the coup, was sentenced to 10 years' imprisonment for sedition after pleading guilty to participating in a demonstration on 1 August supporting the coup. Amnesty International was investigating the cases of 67 other university students arrested shortly after the coup attempt and charged with sedition. They had not been tried by the end of 1982.

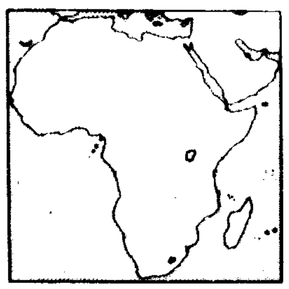
Amnesty International was concerned about the possible death sentences faced by Raila Odinga, Deputy Director of the Bureau of Standards and a son of Oginga Odinga, and Otieno Mak'Onyango, a prominent journalist, who were arrested and charged with treason. Details of the charges and the date of their trial had not been announced by the end of the year.

The treatment of prisoners was of concern to Amnesty International. The authorities refused in many cases to confirm the arrest, explain the legal status, or disclose to relatives or lawyers the whereabouts or condition of the prisoner. Some of the imprisoned students were allegedly subjected to beatings, death threats, deprivation of food and sleep, and other forms of ill-treatment during interrogation. The 67 students who remained in custody in Nairobi Remand Prison on charges of sedition were allegedly held incommunicado in insanitary, overcrowded cells and given inadequate food. Lengthy delays in receiving qualified medical treatment were reported.

Prisoners detained under the Preservation of Public Security Act and held in Kamiti prison in Nairobi, Shimo-la-Tewa prison in Mombasa and other prisons were allegedly kept in permanent solitary confinement, provided with blankets but not beds or mattresses, and allowed little or no reading material. They were denied all visits, and correspondence with relatives was heavily restricted and subject to long delays.

Amnesty International learned of six death sentences imposed in 1982 for murder or armed robbery. Four death sentences were imposed by courts-martial on former KAF member on charges related to the coup attempt - the first death sentences for treason since

independence in 1963. Amnesty International appealed to President Moi to commute the death sentences. No reply was received. The number of executions and prisoners under sentence of death were not published by the government.



Lesotho

Amnesty International was concerned about the use of detention without trial and the government's failure to investigate thoroughly allegations of torture of detainees and alleged extrajudicial executions committed in 1981. The organization was also concerned about the use of the death penalty.

There was a continuing high level of political violence during 1982. Sporadic acts of sabotage and attacks on leading politicians were carried out by the Lesotho Liberation Army (LLA). The LLA is the military wing of one faction of the Basutoland Congress Party (BCP). Its leader, Ntsu Mokhehle, has lived in exile since 1970 when, faced with apparent defeat at the hands of the BCP, the government of Prime Minister Dr Leabua Jonathan cancelled the first post-independence election, declared a state of emergency and retained power. In May the Minister of Agriculture, Peete Peete, was ambushed and injured by LLA guerrillas, and in August Jobo Rampeta, another cabinet minister, was killed with two others in a similar attack. Koenyama Chakela, a former leading member of the BCP, who was granted an amnesty to return to the country from exile in 1980, was assassinated in early July. The LLA reportedly claimed responsibility for his killing. On several occasions Prime Minister Jonathan alleged that the LLA was able to operate in Lesotho because of South African assistance.

In December South African military forces entered Lesotho at night and committed more than 40 extrajudicial executions in the capital, Maseru. Their victims were South African refugees, including officials of the African National Congress (ANC), and at least 12 Lesotho nationals resident in Maseru. According to eye-witness reports most of the victims were unarmed and were killed in cold blood.

New legislation providing for detention without trial was introduced in September. The Internal Security (General) Act replaced an earlier security law which had provided the legal basis for prosecuting

a wide range of political offences, and had empowered the authorities to detain any person incommunicado and without charge or trial for renewable periods of 60 days. The new act defined the offences of subversion and sabotage more clearly, reduced the existing detention powers and introduced certain safeguards against ill-treatment of detainees. It extended to all members of the police the power to detain any person incommunicado for 14 days, but stipulated that further detention up to a maximum of 42 days had to be authorized first by reference to the Commissioner of Police and second, after 28 days' detention, to the government minister responsible for security matters. The act also required the minister to appoint special advisers to visit and inspect the conditions of detainees held beyond the initial 14-day period and to review their cases on behalf of the minister. However, the new law retained an earlier provision granting members of the police immunity from prosecution for acts committed in the course of protecting state security.

Amnesty International learned of several new detentions during 1982 but was not able to estimate how many people were detained without trial for political reasons. Those whose detention was reported to the organization included Mampela Mpela, an employee of the United Nations who was detained for a week in July, and three Anglican churchmen who were among a number of people arrested in September. One of those detained at that time, Sophie Makhele, was reported to have died in custody. The precise circumstances of her death were not known to Amnesty International by the end of 1982. Earlier, in July, it was reported that Moeli Ts'Enoli, a former detainee, committed suicide by burning himself alive, apparently because he feared being detained again. In November it was reported that Chief Simon Mapetla, father of a former Chief Justice, had been detained.

Amnesty International expressed concern to the authorities about a number of these detentions and, in response, was informed of the unconditional release of Mampela Mpela and John Ralehana, one of the clergymen detained in September. The government indicated that the two other churchmen would be prosecuted for collaboration with the LLA.

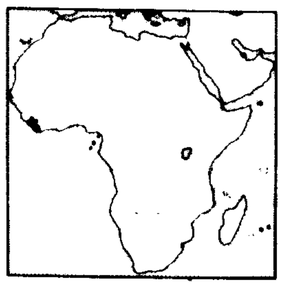
The authorities did not, however, respond to a letter addressed to the Prime Minister by an Amnesty International mission delegate in late December 1981. This concerned the findings of two Amnesty International missions to Lesotho in late 1981 to investigate alleged ill-treatment of detainees and a series of political killings of opponents of the government. Amnesty International's delegate notified the Prime Minister that he had uncovered "*prima facie* evidence of brutal and potentially fatal systems of interrogation", evidence of cruel and

inhuman conditions of detention and evidence which appeared to substantiate claims that there existed a pro-government "death squad" known as *Koeeoko*. He sought an urgent meeting with Prime Minister Jonathan and prolonged his stay in Southern Africa for that purpose, but no appointment was arranged and the Prime Minister did not respond to the letter.

No further information became available during 1982 concerning the killing of Edgar Motuba and two others in September 1981, and the attack that same month on the home of a leading churchman, Benjamin Masilo, which resulted in the death of his grandson (see *Amnesty International Report 1982*). Despite Benjamin Masilo's allegation that members of the paramilitary Police Mobile Unit (PMU) had participated in the attack on his home, no official inquiry was known to have been held. Similarly, there was no formal inquest during 1982 into the deaths of Edgar Motuba and those who were abducted with him.

Amnesty International was also concerned about the government's failure to institute a formal inquest into the death of Setipa Mathaba, a political detainee who died in custody in November 1981. The government claimed that his death was due to natural causes but details of post-mortem findings were not disclosed.

At least four people were sentenced to death during the year. They were each convicted of murder. It was not known whether any executions were carried out during 1982.



Liberia

Amnesty International was concerned about the arrest and prosecution of individuals who allegedly infringed a government ban on all political activities, five of whom were sentenced to death but subsequently pardoned and released. The organization was also disturbed by continuing use of the death penalty and the execution of a number of soldiers.

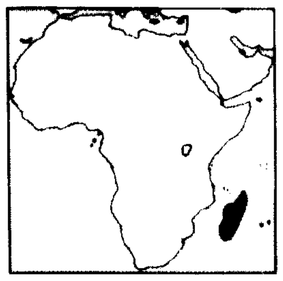
In August 1982 Liberia ratified the African Charter on Human and Peoples' Rights.

The military government headed by Commander-in-Chief Samuel K. Doe, which seized power in April 1980, maintained its ban on the exercise of civil and political rights throughout 1982 and took severe action against anyone suspected of contravening it. In January the Liberian National Students' Union reportedly issued a public appeal

to the ruling People's Redemption Council (PRC), calling for the repeal of Decree No. 1 of April 1980, which had imposed the ban on political activities. On 20 January or shortly thereafter, six student leaders were arrested and detained in the Post Stockade prison in Monrovia. Several days later they were tried *in camera* by the Supreme Military Tribunal and reportedly convicted of treason. Five of the students were sentenced to death, and 29 January was scheduled as the date for their execution. However, on 28 January Head of State Doe issued an executive pardon which resulted in the immediate and unconditional release of the student leaders.

Summary action was also taken in March against James Cooper, a 70-year-old former registrar of the national university. He was arrested reportedly for "slandering the military government" and for this was given three years' imprisonment apparently on the orders of the military authorities. On 13 April 1982 Commander-in-Chief Doe announced during a speech commemorating the second anniversary of the PRC's coming to power that James Cooper had been pardoned and freed. In December 1982 Commander-in-Chief Doe reportedly ordered the security forces to arrest any individual engaging in political activities, and threatened a mandatory two-year prison sentence for this offence. However, Amnesty International had received no reports of any political prisoners being held at the end of 1982.

Amnesty International was concerned about the use of the death penalty; in late January 1982, Sergeant David D. Gbedeh was executed by firing-squad after being convicted of murder by the Supreme Military Tribunal. On 3 February 1982 four soldiers were executed by firing-squad. They had reportedly confessed, during a hurried "preliminary investigation" by the military authorities, to having participated in an armed robbery the previous night when three other soldiers had been killed by robbers. Following these executions Amnesty International informed the authorities of its concern and appealed to them to consider the abolition of the death penalty.



Madagascar

Amnesty International adopted one prisoner of conscience during 1982. It continued to seek the trial of three detainees held without trial since 1977 and investigated the cases of several people detained on suspicion of involvement in political violence. In November President Didier Ratsiraka was re-elected to a second seven-year term of office. He was opposed in the presidential election by Monja Jaona, the leader of an opposition party. Monja Jaona was detained on 15 December and the organization was investigating his case. Amnesty International also received reports of the ill-treatment of detainees by the security forces.

Amnesty International adopted as a prisoner of conscience Manana Bosthene Ratsimandresy, a medical student arrested at Ivato airport on 11 August when he was overheard criticizing President Ratsiraka. The following day he was sentenced to a year's close confinement in prison.

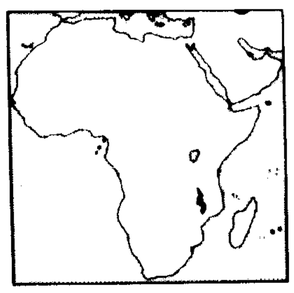
Throughout 1982 Amnesty International continued to seek the trial or release of three detainees arrested in October 1977 and subsequently charged with endangering or plotting against state security. The three were Richard Andriamaholison and Jean-Astier Rakoto-Abel, former senior police officers, and Marson Rakotonirina, a former army officer. Amnesty International's repeated appeals for them to be tried or released met with no response, although it was reported that the *instruction* (judicial inquiry) into their cases had been completed.

The organization investigated a number of other cases during 1982. In January about 20 people were arrested on suspicion of plotting a coup against the President. Although some were released within a few weeks, by the end of 1982 about 10 remained in detention. They included Rajaozandry, a government official; Julien Radanoara, a law student; Colonel Rasolofo, an army officer; and Father Joseph Noel Randrianoelisoa, a Catholic priest. The exact charges against them were not known. By the end of the year all the remaining detainees were held in Manjakandriana prison except Ramino, who was reported to be in Antanimora prison. Amnesty International investigated the cases of four members of the *Mpitolana ho amin' ny Fanjakan' ny Madinika* (MFM), the Party for Proletarian Power. They were arrested in March 1982 after a demonstration on the island of Nossi-be during which police opened fire on demonstrators. Yves Dzaozara, Gilles Lejamble, Paul Andre and

Rajoanesa were sentenced to four years' hard labour by the criminal court of Nossi-be for threatening state security. At the end of the year the four were still awaiting a date for their appeal hearing.

Amnesty International expressed its concern over the detention on 15 December of Monja Jaona, leader of the *Madagasikara Otronin' ny Malagasy* (MONIMA), Madagascar for the Malagasy Party. He was held under house arrest near Ihosy. He was not charged, but he is reported to have been detained after calling for a general strike in protest against alleged irregularities during the presidential election. Monja Jaona had previously been adopted as a prisoner of conscience by Amnesty International in 1980.

The organization also expressed its concern to the authorities about reports of the ill-treatment of political detainees to obtain confessions by officers of the security police, *Direction generale de l'information et de la documentation* (DGID), in their headquarters at Ambohibao, near Antananarivo.



Malawi

Amnesty International's concerns centred on the arrest and trial of Orton Chirwa, a leading political opponent of the government, and his wife, Vera Chirwa. The organization was also concerned about the detention without trial of their son, Fumbani Chirwa, and the continuing imprisonment of Sofiliano Faindi Phiri, who was adopted as a prisoner of conscience by Amnesty International in early 1981.

In early January the government announced that Orton Chirwa had been arrested with his wife and 26-year-old son on 24 December 1981 in Mchinji District in Central Region. They were officially said to have entered the country illegally from Zambia, where Vera Chirwa had been teaching at the national university. Announcing the arrests the government said that they would soon be tried on criminal charges. A former Minister of Justice and Attorney-General, Orton Chirwa had left Malawi soon after independence in 1964 following a dispute with President H. Kamuzu Banda. Later, in exile in Tanzania, he formed the Malawi Freedom Movement (MAFREMO) in opposition to President Banda's government. Following the arrest of the Chirwas, unofficial sources alleged that they had been forcibly abducted by Malawi security agents while visiting a relative living in Chipata in eastern Zambia. Amnesty International expressed its concern about these allegations to the government and requested information about the detainees, who had been held uncharged and incommunicado since their arrest, but no response was received. In March and again in September, Amnesty International asked the Zambian Government whether there had been an inquiry into the alleged abduction of the Chirwas from the vicinity of Chipata, but the government did not respond.

In April Amnesty International asked the Malawi Government for details of future trial proceedings envisaged against the Chirwas and indicated that, in the event of a trial, the organization wished to send an observer. The government did not respond to this inquiry or to a further appeal in early July on the anniversary of independence, but on 28 July the trial of Orton and Vera Chirwa began. They appeared before the Southern Region Traditional Court in Blantyre and were jointly charged with treason, which carries the death penalty. They were alleged to have conspired to overthrow President Banda's government between April 1977 and the time of their arrest in December 1981. They pleaded not guilty.

In early August Amnesty International sought an assurance from the government that a legal observer would be permitted to enter the country and attend the trial. Such an assurance was not forthcoming, however, with the result that Amnesty International's observer was unable to attend the trial.

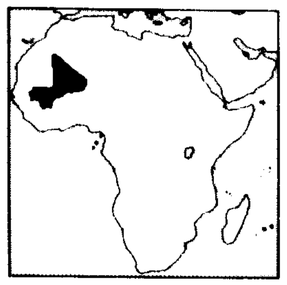
The trial of Orton and Vera Chirwa had not been completed by the end of 1982. It was conducted before a panel of five judges headed by Chief Nazombe of Mulanje District. Like all defendants in the Traditional Court, Orton and Vera Chirwa were denied legal representation but were permitted to cross-examine witnesses in their own defence. During the course of the proceedings, Vera Chirwa reportedly alleged that they had been abducted from Zambia, but the precise circumstances and location of their arrest remained unclear. They were reportedly taken to and from court each day wearing wrist and ankle chains.

Amnesty International took up the cases of Orton and Vera Chirwa for investigation and was concerned that their trial before the Traditional Court did not meet internationally-recognized standards for fairness.

Fumbani Chirwa, whose case was taken up for investigation by Amnesty International, was not brought to trial with his parents and was still believed detained without charge at the end of the year. Despite repeated inquiries, Amnesty International was not able to obtain details of the legal basis for his detention or his place of imprisonment. He appeared to be held incommunicado.

Amnesty International continued to press for the release of

Sofiliano Faindi Phiri, a former nominated member of parliament who was sentenced to five years' imprisonment in March 1981. He had been convicted of sedition by the Southern Region Traditional Court after standing trial with Gwanda Chakuamba, a former cabinet minister. He was said to have committed sedition when, at a political meeting in November 1981, he praised Gwanda Chakuamba's achievements in helping bring about development in Southern Province. This was taken to be insulting to President Banda. Phiri was adopted as a prisoner of conscience by Amnesty International because he was imprisoned for expressing his political opinions.



Mali

Amnesty International was concerned about the imprisonment of two prisoners of conscience sentenced in 1979 and by the short-term detention of three students arrested in November 1982. It also received further reports of severe conditions in Taoudenit and other remote Saharan prisons.

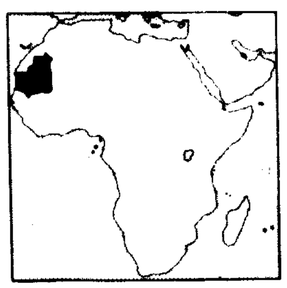
In December 1982 Mali ratified the African Charter on Human and Peoples' Rights.

The two prisoners of conscience were Dr Mamadou Gologo and Idrissa Diakite, both sentenced to four years' imprisonment in October 1979 on charges of "insulting the head of state". Their arrest followed the distribution of leaflets in the capital, Bamako, in late March 1979 criticizing the government and the country's sole political party. On 22 September 1982 both prisoners were granted amnesty by President Moussa Traore and released from prison.

In early November 1982 three students were arrested in Bamako and detained at the *Camp I de la gendarmerie*, the central gendarmerie barracks. They included Harouna Barry, former deputy leader of the banned *Union nationale des élèves et étudiants du Mali*, Malian National Union of Pupils and Students. Their detention followed the distribution in several institutes of higher education in Bamako of leaflets which criticized the government-sponsored student movement and irregular payment of state grants to students. In early December 1982 the three detained students were released, but they were expelled from their place of study, the *Ecole normale supérieure*, higher teachers' training college, for their "serious misconduct". Amnesty International expressed its concern to the authorities about

these detentions and asked for information regarding the detainees' legal status. No reply was received.

Amnesty International continued to receive reports that conditions of detention in the remote Saharan prison of Taoudenit, where political prisoners reportedly continued to be held, were extremely harsh. The combination of extreme heat, poor food and exhausting work in the area's salt mines was believed to have led to many deaths among detainees in the past few years. Amnesty International remained concerned that conditions in several other Saharan prisons, such as those at Kidal and Tessalit, were also reported to be poor, with inadequate sanitation, food and medical facilities.



Mauritania

Amnesty International's main concerns were detention without trial of real or suspected political opponents of the government, brutal conditions of imprisonment at Jereida camp, judicially imposed amputations and the death penalty.

In February 1982 Mauritania signed the African Charter on Human and Peoples' Rights.

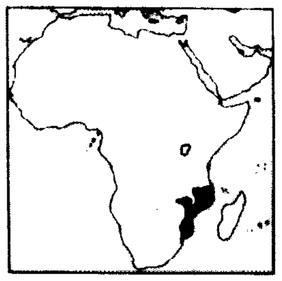
In March 1982 as many as 150 suspected supporters of Iraqi "Ba'athism" were arrested and held without charge. Most were freed after a short period, but between 10 and 20 reportedly remained in detention in a military camp near the capital, Nouakchott. Among them were Mohamed Yehdih Ould Breidelleh, former Minister of the Civil Service in the government nominated by the ruling military authorities, known as the *Comité militaire de salut national* (CMSN), Military Committee for National Salvation, and Khalil Ould Ennahoui, former director of the official daily newspaper *Chaab* (the People). Amnesty International appealed to the authorities to release these prisoners and two other adopted prisoners of conscience. It also appealed for the release of five individuals suspected by the authorities of pro-Iraqi sympathies, and began investigations regarding four others apparently held on suspicion of supporting Morocco's policy on the war in the Western Sahara. These nine detainees were held under house arrest without trial following waves of arrests which reportedly took place in March and August 1981. They included Mohammeden Ould Ichiddou, a magistrate, and Naval Lieutenant Dahane Ould Ahmed Mahmoud, former Minister of Foreign Affairs under the CMSN.

Amnesty International continued throughout 1982 to seek the release from house arrest or imprisonment of senior officials of the deposed administration of former President Moktar Ould Daddah, who were arrested between June 1979 and April 1980. Seven former ministers, including Hamdi Ould Mouknass and Sidi Cheikh Ould Abdellahi, were reportedly released from house arrest during 1982. In late 1982 reports were received that former minister Ahmed Ould Daddah and another former minister had been released on 21 November, Mauritania's National Day. In late November 1982 the government informed Amnesty International that "all the former members of the Ould Daddah government had been freed". At the end of the year Amnesty International was still attempting to establish whether this amnesty had been extended to three individuals detained since late 1979 and early 1980, apparently because of their association with the Ould Daddah administration. They were Mohamed Lamine Ould Hormatallah, former deputy in the Mauritanian National Assembly representing Dakhla in the disputed territory formerly known as the Spanish Sahara, who was held near Kiffa; Abdarrahmane Ould Mouloud Ould Daddah, a businessman, held at the *Caserne des pompiers*, fire station, in Nouakchott; and Tijani Ould Kerim, a teacher and prominent youth leader, held in Tiguent.

Amnesty International was concerned about the conditions under which five convicted political prisoners were reported to be held at Jereida military camp, some 30 kilometres north of Nouakchott. These prisoners, who included former Head of State Lieutenant-Colonel Moustapha Mohamed Ould Saleck and former Prime Minister Sid'Ahmed Ould Bneijara, were arrested in early February 1982 and accused of plotting to assassinate the Head of State Lieutenant-Colonel Mohammed Khouna Ould Haidalla. On 5 March 1982 the Special Military Tribunal imposed heavy prison sentences on all five accused and ordered that their property be confiscated. At the time of sentencing, the tribunal's president, Major Sow Samba, was reported to have ordered that the prisoners be "subject to a severe detention regime, whereby they never see the light of day and their only contact is with the person who brings their food". According to reports received by Amnesty International, the five prisoners were being held in underground cells so small that the prisoners were unable to lie down; the cells were insanitary, without any light and extremely poorly ventilated; food was reported to be very poor and prisoners were denied any exercise, visits or correspondence. In August 1982 Amnesty International appealed to the authorities to improve these conditions but no reply was received.

Amnesty International remained concerned by cruel penalties imposed by the *Shari'a*, Islamic law, court. In February 1982 Sidi

Gueye, who had been convicted of armed robbery by the court, was publicly executed. In mid-1982 two amputations of the right hand were performed after conviction by the *Shari'a* court, but without the publicity and large crowds which had accompanied the first amputation of hands in September 1980. At that time and following subsequent amputations Amnesty International had called for an end to these penalties and appealed to medical personnel not to participate in amputations. Reports received by Amnesty International suggested that a medical auxiliary had performed the amputations in 1982, following the refusal by doctors in Mauritania to participate.



Mozambique

Amnesty International was concerned about the long-term detention without trial of suspected opponents of the government, including some detainees arrested before independence in 1975, about trials which did not accord with internationally recognized standards, about reports of the ill-treatment of suspected members of armed opposition groups and about the application of the death penalty.

The *Resistência Nacional Moçambicana* (RNM), Mozambique National Resistance, the main opposition group involved in armed insurrection against the government, escalated its activities during 1982 and was engaged in fighting with government troops throughout much of the centre and south of the country. RNM guerrillas temporarily occupied many villages and were allegedly responsible for killing and mutilating officials and supporters of the ruling *Frente de Libertação de Moçambique* (FRELIMO), Mozambique Liberation Front. They were also responsible for a series of abductions of expatriate workers, most of whom had either been released near the Zimbabwe border or freed by government troops by the end of the year.

It was not known how many prisoners were captured by government forces during fighting with RNM guerrillas. Official figures released in September 1982 suggested that 194 guerrillas were captured between January and September 1982. Unofficial sources reported that large numbers of civilians were also detained during the year on suspicion of supporting the RNM in some way. Some of these were accused of distributing RNM pamphlets, while others were reported to have been detained uncharged after being denounced to the

authorities. Those detained also included people who were found in possession of RNM pamphlets, and who claimed to have received them involuntarily. Amnesty International was concerned that some detainees accused of links with the RNM were arrested arbitrarily when there was no real evidence against them. Amnesty International was also concerned that detainees accused of supporting the RNM were reported to have been severely beaten in custody.

Amnesty International was concerned by the long term detention without trial of people accused of activities aimed at overthrowing the government. These were believed to include former leaders of political groups opposed to FRELIMO before independence in July 1975, and others arrested since independence, for example after the South African military raid into Mozambique in January 1981. The total number of such detainees was not known.

Following the release in 1981 of hundreds of prisoners accused of collaborating with the Portuguese colonial security forces before independence, further steps were taken to reintegrate suspected collaborators. A series of rallies involving alleged collaborators took place in May and June 1982 at the end of which President Samora Machel announced that they were being formally pardoned. Official reports indicated that three alleged collaborators present at one rally refused to acknowledge that they had done anything wrong by working with the Portuguese and were consequently arrested and imprisoned. It was not known how many alleged collaborators, if any, were still detained in "re-education" camps at the end of 1982.

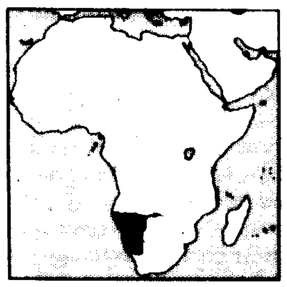
Several political trials took place before the Revolutionary Military Tribunal, the special court set up in 1979 to try offences against the security of the state. Trials before this court are usually held *in camera* and defendants are not represented by legal counsel. It is empowered to impose the death penalty and defendants have no right of appeal to a higher court.

In June 1982, 15 people were tried by the Revolutionary Military Tribunal on charges connected with support for the RNM. Six were convicted on charges including membership of a "clandestine" organization and armed rebellion and were sentenced to death. They included two people who were accused of deserting from the FRELIMO armed forces and of setting up the *Africa Livre*, Free Africa, armed opposition group, which subsequently merged with the RNM. A South African national, Wilson Chivaze Bila, was convicted on charges of being a mercenary and was sentenced to death. Another defendant, Ernesto Josias Valoi, was also convicted on charges of belonging to the RNM and of being sent from Zimbabwe into Mozambique in 1977 on a spying mission. He was sentenced to 12 years' imprisonment. The seven other defendants, who were aged between

18 and 21, were considered by the tribunal to be guilty of distributing illegal leaflets in Maputo, but were not sentenced. Instead, the Ministry of the Interior and other departments were asked to organize their "re-education". The seven men sentenced to death had no right of appeal and were believed to have been executed by firing-squad.

In September, 27 more people accused of supporting the RNM appeared before the Revolutionary Military Tribunal. During a three-day trial the court considered various cases which were not all directly related, except by the charges that all the defendants had been active on behalf of the RNM. Two of the defendants were found guilty of being RNM guerrilla leaders and were sentenced to death. The 25 others were all convicted and sentenced to terms of imprisonment: one to 15 years, one to 14 years, nine to eight years, 13 to six years and one to four years. The two men sentenced to death – Domingos Gaspar and André Gundane – were believed to have been executed by firing-squad.

After death sentences were announced in June and September 1982, Amnesty International appealed to President Machel to commute them. The organization also urged the authorities to reconsider the use of the death penalty, which was introduced in February 1979, and to take measures to abolish it.



Namibia

Amnesty International was concerned about the use of detention without trial and the deaths in custody of three uncharged political detainees held incommunicado by South African security forces. It was impossible to estimate precisely how many people were detained for political reasons but they were believed to number several hundred. One group of more than 100 political detainees entered a fifth year of continuous incommunicado detention without trial. There were new allegations of torture of detainees, and Amnesty International received information about the existence of at least one secret interrogation centre where detainees were tortured. New information was received concerning alleged "disappearances" and church leaders accused South African security forces of the extrajudicial execution of civilians in Namibia. Amnesty International remained concerned about the use of administrative restriction orders against former uncharged detainees and the failure of the government to review the cases of political prisoners

convicted and sentenced to long prison terms after a trial in 1968 which did not conform to internationally recognized standards.

International negotiations for a constitutional settlement continued throughout the year as did the conflict between South African security forces and nationalist guerrillas supporting the South West Africa People's Organization (SWAPO). At one stage considerable optimism was expressed by some of the parties to the negotiations that a final agreement on Namibia's future was near, and August 15 was named as a provisional cease-fire date. However, the proposed cease-fire was observed neither by SWAPO nor South Africa, whose military forces launched a major new incursion into neighbouring southern Angola at the beginning of August.

In late 1981 the Council of Ministers introduced the Combating of Terrorism Bill in the National Assembly in order to repeal the South African security laws applicable in Namibia and abolish the death penalty for political offences. However, the bill was not passed and the Terrorism Act continued in force. Three alleged guerrilla fighters were charged and tried under its provisions and in early June sentenced to prison terms ranging from nine to 11 years.

Detention without trial continued to be used extensively, particularly in the northern districts of Ovamboland and Kavango. It remained impossible, however, to estimate how many people were detained due to the official secrecy surrounding detention and the absence of any requirement that detainees' relatives be notified of their arrest or where they were held. Proclamation AG.9 of 1977 remained the legal basis for most detentions. It empowers all officers in the South African security forces to detain any person uncharged and incommunicado for up to 30 days for interrogation. Further detention beyond this initial period may be, and in many cases was, authorized by the Administrator-General. Those detained under AG.9 were believed to be largely civilians, including a number of teachers and clergy, who were suspected of possessing information about the movements of SWAPO guerrillas. However, hardly any were charged or brought to trial.

At least three detainees held under AG.9 were known to have died in custody in 1982. In August an inquest was held into the death of a detainee who was said to have been shot dead in January while attempting to escape from the military base at Ruacana. The detainee could not be positively identified, nor the cause of death proven, because his corpse had apparently disappeared under unexplained circumstances while being transferred from Ruacana to Oshakati.

In November there was a wave of detentions in the Kavango area, where SWAPO guerrillas were reported to have become more active during the year. At least 25 people were detained under AG.9, some

of them reportedly by members of a special police counter-insurgency unit known as *Koevoet*, Crowbar. In separate incidents two of the detainees – Jona Hamukwaya and Kadumu Katanga – died within hours of being taken into custody on 18 November. Both were said to have been assaulted in detention but in neither case was the cause of death known by the end of 1982. Major-General Gouws, the Commissioner of Police, confirmed their deaths on 25 November. He said that their bodies would be sent to Pretoria for post-mortem examination and that there would be a police inquiry into their deaths.

Following these deaths and reports that other detainees arrested in Kavango had been assaulted in custody, Amnesty International appealed to Administrator-General Hough to initiate an independent inquiry and called for detainees to be granted immediate access to relatives and legal counsel as a safeguard against torture and ill-treatment. However, the authorities did not accede to this appeal.

Most of those detained in Kavango in November were released shortly after the deaths of Jona Hamukwaya and Kadumu Katanga but at least six were believed to be still held incommunicado and uncharged at the end of 1982. Unusually, in view of their policy of withholding all information about AG.9 detainees, the authorities disclosed the names of those released in December, although they refused to disclose the names of those still detained or where they were held. In the case of Frans Mayira, a teacher about whom Amnesty International inquired after receiving a report that he had been brutally assaulted in custody, the authorities first denied all knowledge of him but later included him on a list of detainees released.

During 1982 Amnesty International took up the cases of several long-term detainees for investigation. They were among some 180 or more Namibian refugees forcibly abducted from Angola by South African military forces in May 1978. More than 60 were released within weeks of their enforced return to Namibia but almost 120 others remained imprisoned in a military detention camp near Mariental. They had been held without charge or trial under Proclamation AG.9 since May 1979, when that decree was amended to permit unlimited detention, but it was not known under which law they had been held during their first year in detention.

The South African authorities did not disclose the identities of the detainees at Mariental but permitted access to them by delegates of the International Committee of the Red Cross. Individual churchmen were also permitted to conduct religious services at the camp. In August several detainees received visits from relatives, the first since May 1978.

Amnesty International continued to press for the lifting of restrictions on some 15 former untried detainees who had been adopted as

prisoners of conscience in 1979. Upon release in 1980, they were served with so-called "release warrants" of unlimited duration which generally restricted them to particular areas, prohibited them from receiving visitors at home and subjected them to house arrest during the hours of darkness. A number had their restrictions eased during the course of 1982 enabling them to resume their occupations as teachers. All restrictions on one former detainee, Aaron Ipinge, were lifted on 13 December according to information sent to Amnesty International by the Council of Ministers. Earlier, in May, the South African authorities imposed a new two-year banning order on Nathaniel Gottlieb Maxhuilili, formerly a leading member of SWAPO. He had been restricted continuously since 1972 under a succession of banning orders imposed under the South African Internal Security Act, which is in force in the Walvis Bay enclave in which he was living.

A British Council of Churches delegation which had visited northern Namibia three months earlier reported in February that they had been given details of alleged beating and electric shock torture of detainees, beating and rape of civilians, cases of alleged "disappearances" and extrajudicial executions. Their report cited 20 cases of alleged abuses by South African security forces, all of them relating to incidents which were said to have occurred within six weeks of the delegation's visit.

Similar allegations were made by two South African church leaders who visited Namibia briefly in February and in a report published in May by the Southern African Catholic Bishops Conference (SACBC). This report, prepared after an SACBC delegation's visit to Namibia in September 1981, alleged that detainees had been subjected to electrical torture, physical assaults, blindfolding and partial suffocation during interrogation by security police or military personnel. Before publication, the SACBC submitted its report to the South African Prime Minister for comment. He dismissed its allegations but stated that the authorities were prepared to prosecute or discipline security force personnel who committed offences.

Allegations of torture were also made in February by former detainees interviewed by journalists near Rundu, in Kavango. In March, Peter Kalangula, head of the local administration in Ovamboland, reportedly complained to the South African Prime Minister about alleged human rights abuses by the security forces. This led the South African Defence Force (SADF) to establish a board of inquiry into the allegations and by June 40 cases were said to have been investigated. Several were apparently substantiated and expected to lead to prosecutions of SADF personnel. In May a special liaison committee to investigate complaints was formed by the Ovambo

ethnic authority. It included South African military and police representatives, which led local church leaders to decline to participate.

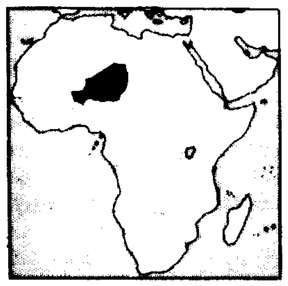
In late 1982 Amnesty International received information about the existence of a secret interrogation centre in which several AG.9 detainees had allegedly been tortured with beatings and electric shocks. The detainees claimed that they had been taken to and from the secret centre blindfolded, had had no contact with one another and had been allowed no exercise outside their cells while imprisoned there. Arrested in late 1981, most of the detainees concerned were held for several months and released uncharged in mid 1982.

There was continuing concern over alleged "disappearances". The best documented case was that of Johannes Kakuva, who allegedly "disappeared" from security police custody in late 1980. His relatives brought an action before the Supreme Court in late 1981 alleging that he had been tortured and seeking confirmation of his death. The security police denied responsibility and claimed that he was released from custody and then either abducted or killed by SWAPO guerrillas. In June the case resumed briefly in the Windhoek Supreme Court but was not resolved. A further hearing was expected in early 1983.

Three people were known to have been sentenced to death for murder during 1982 and two executed. Both those hanged were black men who had been convicted of murder. The execution of two white brothers sentenced to death for murder in 1981 was stayed in May the day before they were due to be hanged. Neither they nor three other whites under sentence of death had been executed by the end of 1982. Amnesty International appealed to the South African State President to grant clemency to those under sentence of death.

In November Amnesty International wrote to the South African Prime Minister detailing its concerns in Namibia. In December, the organization published a report, ***Human Rights Violations in Namibia***, and began a campaign to end violations of human rights. In its letter to Prime Minister Botha, the main points of which were publicized on 1 December, Amnesty International made a number of recommendations to prevent further abuses and ensure protection of human rights. These recommendations included immediate repeal of Proclamation AG.9 and the provision of adequate safeguards against torture or ill-treatment of detainees, the establishment of an impartial judicial commission of inquiry into allegations of torture, "disappearances" and extrajudicial executions. The organization also called for the immediate and unconditional release of all prisoners of conscience from imprisonment or physical restriction. Amnesty International appealed for the trial or release of all untried political detainees and a review of the cases of convicted political prisoners, some of whom

were sentenced to long prison terms after trials which did not conform to internationally recognized standards. In making these recommendations Amnesty International drew attention to the fact that all parties to the Namibia independence negotiations had already agreed that a future independence constitution should contain a Declaration of Fundamental Rights in accordance with the Universal Declaration of Human Rights. However, the South African Prime Minister had not replied to Amnesty International by the end of the year.



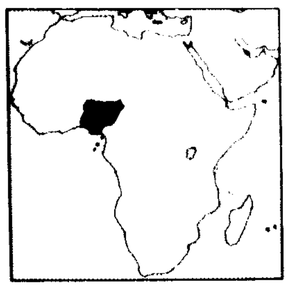
Niger

Amnesty International was concerned about the long-term detention without trial and restriction under house arrest of suspected opponents of the government. There were also reports of ill-treatment of detainees, at least two of whom were reported to have died in custody, and of harsh and inadequate prison conditions.

The authorities continued to hold former President Hamani Diori and former leader of the *Sawaba* (Freedom) Party Djibo Bakary under house arrest without trial in the capital, Niamey. Hamani Diori, who was arrested following his overthrow in 1974, was allowed visits, although restrictions on these were reportedly imposed from time to time. Djibo Bakary had been arrested in 1975 for alleged involvement in an attempted coup, and was reportedly held virtually incommunicado. Seventeen of Hamani Diori's relatives or former officials of his administration, including former ministers Aboubacar Moussa and Ibrahima Issa, reportedly remained in detention without trial, as did three individuals suspected of involvement in coup attempts in 1975 and 1976.

Two detainees held in Tillabery prison – former trade union leader Siddo Hassane and a former gendarme – were believed to have died as a result of ill-treatment at the hands of the security forces in early May 1982. Some reports suggested that a third detainee had also died. Their arrest was linked in some reports to the arrest in early April 1982 of 14 members of the Tuareg ethnic group who, according to official sources, were planning to sabotage Niger's principal mining installations at Arlit. Amnesty International appealed to the authorities to confirm these reported deaths in detention and to establish an official inquiry to determine responsibility for them. No answer was received.

Conditions of detention in the prisons at Agadez and Tillabery, where most of Niger's political detainees were believed to be held, were said to be poor. Sanitation and nutrition standards were reported to be low, and prisoners held in these two centres were apparently rarely allowed visits or letters from their families. Medical facilities were also alleged to be inadequate.



Nigeria

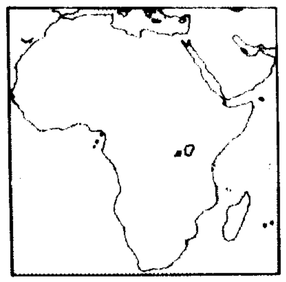
Amnesty International was concerned about the detention without trial of suspected supporters of a religious leader, Alhaji Mohammed Marwa, also known as Maitatsine. All were released in October 1982. It was also concerned about the death penalty. On 31 August Nigeria signed the African Charter on Human and Peoples' Rights.

More than 900 alleged supporters of the late Alhaji Mohammed Marwa were detained without trial following rioting in December 1980 which was reported to have resulted in more than 4,000 deaths in Kano State. Of those detained on suspicion of involvement in the riots, more than 900 were reported to have been held without trial until October 1982 when President Shagari ordered their release. It was not known whether they included any prisoners of conscience. Further rioting then occurred in Maiduguri and Kaduna, inspired by followers of Alhaji Mohammed Marwa. Some reports suggested that these riots were sparked off by some of his supporters after their release from Kano prison in October, although this connection was denied by the federal government.

Alhaji Mohammed Marwa's sect was banned by President Shagari on 18 November by decree. Chief Richard Akinjide, the Minister of Justice, announced that people convicted of membership of the sect would face prison terms of between three and five years. Although this decree was intended to be applied to those followers of Alhaji Mohammed Marwa who had participated in the riots of October and November, Amnesty International was concerned that it could entail the detention of people for their non-violent religious beliefs. By the end of 1982 Amnesty International had received no reports that the decree had been used to detain prisoners of conscience.

Amnesty International remained concerned about the use of the

death penalty but was unable to ascertain the number of death sentences or executions. Eight appeals against the death penalty were reported to have been rejected by the Supreme Court in January and February alone.



Rwanda

Amnesty International adopted as prisoners of conscience 19 people convicted in November 1981 of offences against the security of the state and was concerned by the long term incommunicado detention without trial of other political prisoners arrested during 1981. The organization also received disturbing reports of torture and harsh conditions in prisons in the capital, Kigali, and at Ruhengeri, and was concerned by the execution in September 1982 of 43 prisoners, who had been convicted of non-political offences.

In November 1981 the State Security Court convicted 26 defendants of security offences. Amnesty International adopted 19 of them as prisoners of conscience. Most had been convicted under Article 166 of the criminal code on charges of distributing documents which advocated the overthrow of the government. However, the documents were "open letters" distributed in Kigali, in March 1980. They criticized certain of President Juvenal Habyarimana's policies but did not advocate the overthrow of the government.

The seven others convicted in November 1981 included Alphonse Marie Kagenza and Theoneste Lizinde, who had been convicted of trying to kill the Head of State and sentenced to death. Their sentences were commuted in July 1982 by President Habyarimana to life imprisonment. Two other defendants were given short sentences and released during 1982. The remaining three were convicted of various offences against the security of the state and Amnesty International continued to investigate their cases during 1982.

Six of the 26 defendants convicted in November 1981 subsequently appealed unsuccessfully to the *Cour de cassation*, appeal court, to annul their convictions. In August the court rejected all the appeals, mostly on technical grounds. For example, an appeal by Donat Murego, a former judge, on 1 December 1981 was rejected because it was not received until 30 December 1981, beyond the maximum stipulated period. In his appeal Donat Murego claimed that his letters had been deliberately delayed.

Four people arrested in late 1981 and reportedly accused of being involved with Theoneste Lizinde remained in detention without trial throughout 1982. They included Floduard Gasamunyiga, a former Director of State Investments at the Ministry of Finance, and Muvunanyambo, a former soldier who had been forcibly repatriated to Rwanda by Ugandan soldiers after he had sought refuge in Uganda. All four were held in Ruhengeri prison.

In April the authorities expelled two Ugandans who had sought asylum in Rwanda. Both had been unsuccessful candidates in the December 1980 parliamentary elections in Uganda. One had been detained in Rwanda in December 1980 and the other in August 1981 on the orders of the security service, the *Service central de renseignements*, Central Information Service. No charges were brought against them and they were apparently told that they might be forcibly repatriated to Uganda. They were eventually expelled and sought asylum in Europe. A number of other Ugandan asylum-seekers were also reported to be held in Kigali prison in early 1982, and in June 1982 six refugees from Burundi were reportedly arrested at Bugarama: they included the head of Bugarama refugee camp, Andre Mugatiriza.

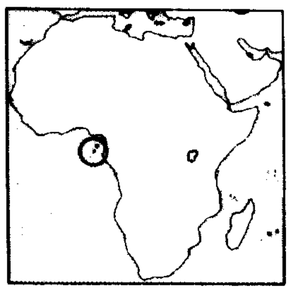
In November 1982 Rwanda's representative at the United Nations General Assembly made a unilateral declaration against torture in support of the UN Declaration on the Protection of All Persons from Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. However, during 1982 Amnesty International received a number of reports of prisoners held by the *Service central de renseignements* being tortured at its headquarters in Kigali and at the special section for political prisoners at Ruhengeri prison. Some of this information related to defendants convicted in November 1981, several of whom were reportedly tortured in pre-trial detention. They were said to have been tortured to obtain confessions after judicial inquiries had established that some of the defendants had no case to answer. The forms of torture are reported to have included severe and prolonged beatings and electric shocks. Both before and after their conviction, many of the defendants were imprisoned in cells in total darkness (*cachots noirs*) in the special section for political prisoners at Ruhengeri prison. Donat Murego, for example, was reported to have spent almost a year in such a cell. Untried detainees were also said to be held in such cells.

In early 1982 some of the 26 prisoners convicted in November 1981 were transferred from Ruhengeri to prisons in Kigali and Gitarama. However, 16 of them remained at Ruhengeri, most of them in the special section, where they were held incommunicado. In addition, they were not given any medical assistance and several are reported to have become seriously ill. Stanislas Biseruka, who was

forcibly abducted by members of the Rwandese security forces from Kampala in neighbouring Uganda in September 1981, is reported to have been tortured when he was brought back to Rwanda; he received medical treatment after he appeared in court, but after his conviction was reported to have received no further treatment for his wounds.

In June 1982 Amnesty International appealed to the authorities to allow the prisoners at Ruhengeri medical attention. The Minister of Health is reported to have subsequently visited the prison to inspect conditions there. However, at the end of the year conditions remained extremely harsh. Several prisoners were reported to have stomach illnesses and to be receiving no medical attention and one, a woman, was reported to be seriously ill after being held continuously in a *cachot noir*.

On 15 September 1982, 43 prisoners who had been sentenced to death for common-law crimes were executed by firing-squads at prisons in Kigali and Butare. In a speech in July 1982 President Habyarimana had indicated that although he was commuting the death sentences imposed in November 1981 on two political prisoners he was not going to grant presidential clemency to other prisoners. In March 1982 a representative of the Rwanda Government told the Human Rights Committee set up under the International Covenant on Civil and Political Rights that since 1974 all death sentences had been commuted to life imprisonment. Following the executions Amnesty International appealed to President Habyarimana to prevent any further death sentences being carried out.



Sao Tome and Principe

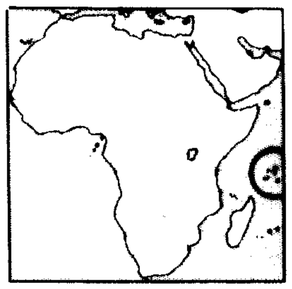
Amnesty International was concerned by the continuing imprisonment of five people convicted in 1977 and 1979 after trials which did not meet internationally recognized standards. Three were adopted by Amnesty International as prisoners of conscience. There was also concern about the use of detention without trial.

Joaquim Matias da Silva Cruz and Agnelo Salvaterra were convicted in November 1977 by the Special Tribunal for Counter-Revolutionary Acts on charges of trying to overthrow the government, and sentenced to 16 and 17 years' imprisonment. They were adopted as prisoners of conscience by Amnesty International on the grounds

that they were convicted on the basis of false evidence because they were known critics of the government. Agnelo Salvaterra was also convicted for advocating the secession of Principe in an article published in a Portuguese newspaper.

Another prisoner convicted by the Special Tribunal for Counter-Revolutionary Acts in March 1979 was also adopted by Amnesty International as a prisoner of conscience. Albertino Neto, formerly the armed forces' commander, was arrested in February 1978 on his return from military training in Cuba. He was convicted on charges of plotting to kill the Head of State, but the only evidence against him was another defendant's statement which appeared to have been made under threat of execution and has since been withdrawn. The real reason for his imprisonment appears to have been that the authorities considered him to be too popular in the armed forces and to hold "liberal" political views.

Five detainees who were arrested in December 1981 after demonstrators on Principe had protested against shortages of supplies were released uncharged in mid-1982. Amnesty International was concerned that they were apparently detained because they had criticized government policies.



Seychelles

Amnesty International was concerned by the short-term detention without trial of suspected political opponents of the government, and by reports of ill-treatment of the Seychelles' only long-term untried detainee.

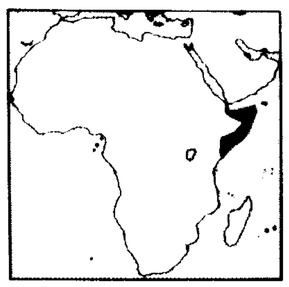
During the year the government of President France Albert Rene suffered several major threats to its security. On 17 August troops mutinied over poor conditions of service. In October, there were reports of a London-based conspiracy against President Rene's government.

On these and similar occasions people were detained on suspicion of plotting against the government. At the beginning of 1982 Amnesty International was investigating reports on some 18 people detained in late 1981 on suspicion of involvement in the attempted mercenary invasion of 25 November 1981. All were released in January and February 1982 except Jean Dingwall, a businessman. Amnesty International appealed unsuccessfully to the government for his trial or release and expressed concern about his treatment. He was

reported to be held apart from other prisoners in Union Vale army camp. During the early part of his detention he was reported to have been held in a cell too small to allow easy movement or sleep and to have been deprived of food for short periods.

In late August six to 10 people were detained on the island of Praslin after a meeting at which a plan to overthrow President Rene was reportedly discussed. Amnesty International requested information on the legal basis for their arrest but the detainees were all released uncharged in September.

In July five foreign mercenaries were convicted by the Seychelles High Court of treason, the only crime carrying the death penalty in Seychelles' law. Four were sentenced to death. Amnesty International appealed to President Rene for the commutation of the death sentences, noting that President Rene had himself appealed to the South African Government for commutation of the death sentences passed upon convicted members of the African National Congress.



Somalia

Amnesty International appealed for the release of a number of prisoners of conscience and was concerned about the detention without trial of political opponents of the government. The organization was also concerned by a trial before the National Security Court which did not appear to conform with internationally recognized standards. Amnesty International expressed concern about allegations of ill-treatment of prisoners, harsh prison conditions, and executions.

Somalia signed the African Charter on Human and Peoples' Rights on 26 February 1982.

The nationwide state of emergency imposed by President Siyad Barre in October 1980 was lifted in March 1982 but reimposed later in certain border areas where there was fighting between the armed forces and the externally based Democratic Front for the Salvation of Somalia (DFSS), which was said to receive support from Ethiopia. The lifting of the 1980 emergency led to the disbanding of the regional and district revolutionary committees which had been given special powers of arrest and detention. Political arrests and detentions continued, however, under national security legislation.

At least 15 of the prisoners of concern to Amnesty International were released by the end of 1982. In February Amnesty International

welcomed the release of several prisoners of conscience and appealed for a general amnesty for all political prisoners. This was not granted although some further releases took place later in the year. Released prisoners of conscience included Mohamed Haji Ibrahim Egal, former Prime Minister, detained in 1976 and previously held under house arrest or in prison from 1969 to 1975; and Mohamed Abshir Musse, former head of police, detained in 1973 shortly after release from house arrest since 1969.

Other political prisoners released during 1982 included over 60 officers of the armed forces detained without trial after the April 1978 coup attempt, and several civilians arrested in January 1981 after bomb explosions in Mogadishu. The latter included three members of parliament and of the central committee of the official Somali Revolutionary Socialist Party (SRSP) Mohamed Yusuf Weirah, Colonel Abdullahi Warsame Nur, and Mohamed Ali Warsame who had been detained without charge or trial. They appeared to have been arrested because they had made public allegations of abuses by the security forces, and they were regarded by Amnesty International as prisoners of conscience.

In February, 20 people went on trial before the National Security Court in Hargeisa. They included doctors, teachers, civil servants and businessmen who belonged to an organization engaged in community self-help projects in Hargeisa hospital. They had all been arrested in November 1981. They were convicted on a range of charges under the National Security Law of 1970 including subversion and illegal distribution of leaflets critical of the government. They were sentenced to prison terms ranging from two years to life imprisonment. There is no right of appeal from the National Security Court, although sentences are subject to presidential review, and trial standards fall short of international norms. Amnesty International appealed for their release as prisoners of conscience. The prisoners were initially held in Mandera prison but were moved later in the year, reportedly to Lanta Bur prison.

During demonstrations against the imprisonment of the defendants in Hargeisa hundreds of demonstrators were arrested and held for a short time and at least one was allegedly shot dead by the security forces. In later demonstrations in Hargeisa on 13 April over 200 secondary school students were arrested; some were reportedly held without charge for up to three months. Mass arrests followed similar demonstrations in the nearby town of Burao. In April, 21 members of a committee of clan elders in Hargeisa were reportedly arrested after presenting a list of grievances to the President concerning alleged government discrimination against the northern region. The Attorney General replied in July to Amnesty International's inquiries about the

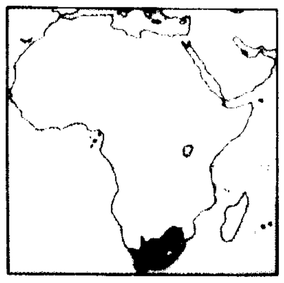
arrests of the elders by stating that when the investigation of their cases was completed they would be brought to court. At least two of them, however, were still detained without charge at the end of 1982.

On 10 June seven prominent members of parliament and of the SRSP central committee were arrested and publicly accused of "undermining the state". However no specific charges were brought against them and they were still detained without trial at the end of 1982. They included the third Vice-President, Ismail Ali Abokor, and former government ministers Omar Arteh Ghalib and Mohamed Aden Sheikh. Amnesty International inquired about the reasons for their detention and called for their release if they were not to be tried in accordance with internationally recognized standards. The Attorney General replied in October 1982 that investigations were continuing and that they were in good health and well-treated in prison.

Amnesty International continued to appeal for the release of Yusuf Osman Samantar ("Barda'ad"), a left-wing politician held without charge or trial since 1978, and to investigate the continued imprisonment of several others arrested in previous years. The number of political prisoners held was not known. The government published no information on detentions, and details of National Security Court trials were difficult to obtain.

Most political detainees and convicted political prisoners were held in one of the two modern maximum security prisons at Lanta Bur (near Afgoi) and Labatan Jirow (near Baidowa). Prisoners were denied all contact with relatives or legal representatives. Several reportedly suffered from nervous complaints produced by prolonged solitary confinement, some being held in cells that were permanently lit, others in cells admitting little daylight and with no artificial light. Medical treatment was inadequate. Political prisoners held in Mogadishu central prison and regional prisons were usually allowed visits and correspondence, but there was often serious overcrowding and poor sanitation. Others were held incommunicado for long periods at the National Security Service headquarters, where some prisoners were allegedly beaten and denied medical treatment.

Amnesty International protested to President Siyad Barre about the execution in public at the Police Academy in Mogadishu on 15 December of two people convicted of murder three months earlier. Amnesty International appealed to the President to exercise clemency in all future reviews of death sentences.



South Africa

Amnesty International was concerned about the use of detention without trial and alleged torture and ill-treatment of political detainees, including some prisoners of conscience, who were held incommunicado for interrogation by security police. Two political detainees died in security police custody during the year; others required hospital treatment. There was continuing concern over the use of banning orders to restrict political opponents of the government, many of whom were subject to partial house arrest and adopted as prisoners of conscience by Amnesty International.

In a number of political trials uncharged detainees summoned as witnesses for the state received prison terms of up to five years for contempt of court when they refused to testify. At least 101 people were hanged for criminal offences. Six alleged members of the banned African National Congress (ANC) were sentenced to death for treason but death sentences imposed on three others in 1980 were commuted by the State President in June. In early December South African military forces entered Lesotho and killed at least 30 South African refugees and 12 Lesotho nationals. During 1982 there were also fatal bomb attacks on prominent ANC supporters in Mozambique and Swaziland which were alleged to be the work of South African security agents, although this could not be proved.

New security laws were introduced following a commission of inquiry into security legislation headed by an appeal court judge, P. J. Rabie, which reported in February. In July a new Internal Security Act replaced the Terrorism Act of 1967 and related security laws. The new act retained many features of the earlier legislation: for example, Section 6 of the Terrorism Act, which empowered security police to hold detainees incommunicado and without charge indefinitely and to withhold all information about them, reappeared virtually intact as Section 29 of the new act. The Internal Security Act renewed the authorities' powers to ban individuals or organizations arbitrarily and without explanation, to prosecute as offences a wide range of political activities, some of which carry the death penalty, to hold people indefinitely in preventive detention and to detain incommunicado potential witnesses in future political trials. However, provision was made for fortnightly visits to Section 29 detainees by a magistrate, a doctor and an Inspector of Detainees appointed by the Minister of Justice. Procedures were also established for reviewing the cases of

Section 29 detainees after six months' detention. A Board of Review was set up to which Section 28 detainees, those in preventive detention, and banned people might apply, but the Minister was not required to implement the board's recommendations.

Three other laws were introduced as a result of the commission's recommendations. One made it an offence punishable by up to one year in prison to demonstrate near court buildings. Another defined the offence of intimidation; several black trade unionists were charged under this act in late 1982 for urging workers to strike. The third, the Protection of Information Act, replaced the Official Secrets Act and made it an offence to disclose, publish or retain information relating to security matters. In March a Ministry of Law and Order was created with responsibility for security matters.

Neil Aggett, a doctor working as a trade union official, was found hanged in his cell at the Johannesburg security police headquarters on 5 February. He had been detained in November 1981 when a number of students, officials of black trade unions and other critics of the government were arrested by security police. He was held incommunicado under Section 6 of the Terrorism Act and was not charged. Following Neil Aggett's death, detainees who had been in custody with him alleged that he had been assaulted and subjected to electric shock torture by security police and, shortly before his death, interrogated continuously for more than 60 hours. At an inquest eye witnesses testified to his ill-treatment and alleged that they too had been tortured by security police. Lawyers representing Neil Aggett's family acknowledged that he had died by suicide but argued that it had been induced by ill-treatment. An Amnesty International observer attended part of the inquest in October. In late December the magistrate dismissed the evidence of former detainees, accepted the account given by the security police, and absolved them from any responsibility.

In early August Ernest Dipale, aged 21, was also found hanged in a cell at the Johannesburg headquarters of the security police. No inquest had been held by the end of 1982.

Isaac Tshifhiwa Muofhe was one of a number of people, including leading churchmen, detained in November 1981 by Venda security police and allegedly tortured in the Venda "homeland", declared "independent" in 1979. He died in custody two days after his arrest. Medical evidence at his inquest in Sibasa in July indicated extensive injuries and death from loss of blood. The presiding magistrate ruled that he had died from an unlawful assault by two security police officers. The case was referred to the Attorney-General of Venda and at the end of 1982 it was expected that the two officers would shortly be tried for murder.

Many people detained in 1981 were still held without charge or trial at the beginning of 1982. They included students, community workers and black trade union officials such as Dumile Makanda and Maxwell Madlingozi of the Motor Assemblers' and Components Workers' Union (MACWUSA) and four leading officials of the South African Allied Workers' Union (SAAWU). Few of these detainees were charged although most spent several months in detention without trial and some were allegedly tortured. The MACWUSA officials were released in February after eight months in incommunicado detention but at the end of March they were restricted under banning orders. Three of the SAAWU officials were charged in May, six months after their arrest. However, when they were tried some months later all charges against them were dropped and they were discharged. One of the three, Thozamile Gqweta, the SAAWU President, had earlier become mentally disorientated, reportedly as a result of his treatment in security police detention. He was taken to a hospital psychiatric ward in March, detained again in May and charged under the Terrorism Act, but finally freed in November.

Detentions continued throughout 1982. Those arrested and held incommunicado included several "coloured" students from Cape Town and black students at the University of the North, more black trade unionists, and officials of black political organizations such as the Azanian National Youth Unity. Two well-known black journalists Joe Thloloe and Mathatha Tsedu were detained under security legislation in June. Both had already been adopted as prisoners of conscience by Amnesty International following their restriction under banning orders in January 1981. Another banned black journalist, Zwelakhe Sisulu, was freed in February after more than eight months' incommunicado detention without trial.

There was also extensive use of detention without trial in the Ciskei, Transkei and Venda, three of the four "homelands" declared "independent" but not recognized internationally. Most detainees in these areas were held incommunicado under provisions similar to those prevailing in the rest of South Africa. In all three "homelands" those detained included churchmen for whom Amnesty International appealed. The number of detainees was impossible to estimate because of the secrecy surrounding detention. From all three areas it was alleged that detainees had been tortured or ill-treated.

New allegations of torture were made by former detainees and by witnesses and defendants at a series of political trials. A number of such allegations were compiled by the Detainees' Parents Support Committee (DPSC), an organization formed by relatives and friends of detainees in 1981. On 30 September 1982 the DPSC published a

memorandum based on 70 statements by former detainees, which alleged that security police torture methods included electric shocks, beatings and slapping, enforced standing and strenuous physical exercise, and sleep deprivation.

In November the Minister of Law and Order announced new guidelines for security police treatment of detainees, which stipulated that they must not be ill-treated or tortured. Provision was made for early medical examination of detainees, although not by a doctor of their choice, but the new regulations were mainly a reiteration of earlier guidelines.

Banning orders continued to be used to restrict the freedom of movement, association and expression of critics of the government. A number of banning orders were lifted early at various times during 1982 and others, including that on Helen Joseph, a well-known opponent of *apartheid* first placed under house arrest in 1962, expired and were not reimposed. However, at the end of December 1981 Winnie Mandela, a leading black opponent of the government and wife of imprisoned ANC leader Nelson Mandela, was restricted under a five year order which continued to confine her to the town of Brandfort. Dr Beyers Naude, former Director of the banned Christian Institute, was served with a new three-year order in October when his previous five-year banning order expired. Winnie Mandela and Beyers Naude, like most other banned people, were adopted prisoners of conscience.

There were disturbing developments in a number of political trials, more than 20 of which took place during 1982. Apart from the torture allegations made by many of those before the courts, it was common for the prosecution to call as witnesses people who had been detained incommunicado for long periods. For example, in February at the trial of Khotso Seatlholo and Mary Loate on charges under the Terrorism Act, those called as state witnesses included Thami Mazwai, a journalist, and several others who had been in detention without charge or trial since June 1981. Thami Mazwai refused to testify as a prosecution witness and alleged that he had been assaulted in security police custody. The judge sentenced him to 18 months' imprisonment for contempt of court, and imposed similar sentences on four others who also refused to testify. This pattern was repeated in other political trials, with sentences of up to five years' imprisonment being imposed on detainees who refused to give evidence for the state.

At least seven people, all of them alleged members of the ANC, were convicted of treason. Three of those convicted – Thelle Simon Mogoerane, Jerry Semano Mosololi and Marcus Thabo Motaung – were sentenced to death in August. Three others convicted in September received long prison sentences. In October a 10-year

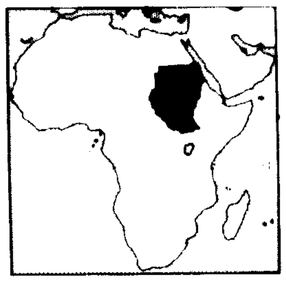
sentence was imposed on Barbara Hogan, the first woman to be convicted of treason. She admitted membership of the ANC but disassociated herself from those ANC policies which embraced the use or advocacy of violence. In an earlier case two security police officers were charged with assaulting Barbara Hogan in detention. A doctor testified that her injuries probably could not have been self-inflicted, but the judge acquitted both defendants. Barbara Hogan was adopted as a prisoner of conscience by Amnesty International.

Three conscientious objectors imprisoned for refusing military service were adopted as prisoners of conscience by Amnesty International. They were members of churches which the authorities had not recognized as pacifist and were therefore prosecuted as military defaulters rather than as conscientious objectors. In each case they were sentenced to be discharged with ignominy from the Defence Force and to be imprisoned for one year in a civilian prison.

Many death sentences were imposed during 1982 for murder and other violent crimes, and three alleged ANC members were sentenced to death for treason in August. In April the appeal court confirmed death sentences imposed on three other alleged ANC members convicted of treason in 1980, but in June their sentences were commuted to life imprisonment by the State President. Another three alleged ANC guerrillas convicted of treason in 1981 had their death sentences confirmed by the appeal court in November. They, and the three men sentenced in August, petitioned the State President for clemency, but no decision had been taken by the end of 1982. Amnesty International appealed to the State President to commute these death sentences and welcomed the three reprieves in June. Amnesty International also sought clemency for prisoners under sentence of death for criminal offences.

According to government figures, 100 executions were carried out in 1982 for criminal offences. The authorities gave the following racial breakdown: one white, 37 "coloureds" and 62 Africans. In addition, at least one execution was also carried out in the Venda "homeland". No information was available about the use of the death penalty in the other "homelands".

On 9 December South African military forces entered Lesotho and attacked houses in Maseru occupied by South African refugees, including ANC officials. In all, 42 people are known to have been killed, including at least 19 recognized refugees and four asylum-seekers from South Africa. Twelve Lesotho nationals were also killed, apparently because they were living in houses previously occupied by refugees from South Africa. Most of the victims of these extrajudicial executions were reported to have been unarmed; some were alleged to have been shot dead while asleep.



Sudan

Amnesty International's main concerns were the imprisonment of prisoners of conscience, the detention of political opponents without trial or their imprisonment after unfair trial, and short-term political arrests carried out on a large scale. Many of the 190 prisoners on whose behalf Amnesty International was working in 1982 had been adopted as prisoners of conscience or taken up as investigation cases in the previous three years. The majority were detained indefinitely without charge or trial under the State Security Law. Most were arrested because they were alleged members of opposition political groupings banned by the government – the only legal political party was the official Sudanese Socialist Union (SSU). A substantial proportion of these prisoners were believed to have been released during 1982. Amnesty International's information on detentions and releases of prisoners was often incomplete, since no official details on prisoners were published, and the authorities often failed to reply to Amnesty International's inquiries.

Sudan signed the African Charter on Human and Peoples' Rights on 3 September 1982.

Many arrests took place in 1982 of political critics, demonstrators, trade unionists, and members of banned opposition organizations such as the Sudan Communist Party, Arab Ba'athist Socialist Party and a section of the Democratic Unionist Party. Several hundred people were reportedly arrested on various occasions, held without legal formalities for a few days or weeks, and then released. This happened to three women – widows of communist leaders executed in 1971 – who participated in a women's demonstration in Khartoum in late January, in protest at the death of a student shot by the security forces during violent demonstrations earlier in the month. Amnesty International issued urgent appeals for their release; Fatima Ahmed Ibrahim was arrested while ill in bed and not allowed to take her medication for diabetes with her to prison. They were released a few weeks later. Further arrests took place after the funeral in Khartoum of the Democratic Unionist Party leader Sharif al-Hindi in January; during the period preceding the annual commemoration of the May 1969 revolution; during trade union leadership elections in July; and after anti-government demonstrations by students and others in various parts of the country towards the end of 1982.

Some of those arrested were subsequently detained for an indefinite

period under the State Security Law. Two former prisoners of conscience – Mahgoub Sharif, a poet, and Saudi Daraj, a trade unionist – were detained in May and December respectively. Detainees were not provided with any formal notification of detention or detailed explanation for their detention; their numbers and names were not published by the government; and there was no independent review of their detention. Their number was believed to be over 200 at the end of 1982. Political detainees were normally held in Kober prison in Khartoum, but in 1982 several were transferred to regional prisons where conditions were reportedly poor. Some prisoners were held for several months at the State Security Service headquarters in Khartoum. Amnesty International expressed its concern to the authorities about allegations that Qasim Abbas Mustafa had been ill-treated while held in the State Security Service headquarters in Khartoum in July, but received no reply.

Several prominent politicians were arrested in the south between June and December. The arrests took place amid increasing political tension in the south and a deteriorating security situation in Upper Nile Province in particular, involving armed gangs alleged to be in some cases politically motivated. Former regional minister Brigadier Samuel Abu-John and former regional assembly Speaker Angela Beda were arrested in July and still detained without charge at the end of 1982. Several other former regional ministers, including Ambrose Riny and Gama Hassan, were arrested in December together with over 30 senior civil servants, SSU party officials, teachers and students. Amnesty International was investigating their legal status and grounds for detention. They were reportedly held for criticizing the central government's proposal to divide the south into three separately administered regions.

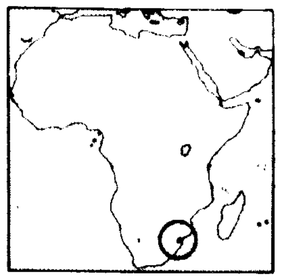
In October El-Tigani el-Tayeeb Babiker, a former member of the central committee of the Communist Party, who had been arrested in 1980 and initially charged with treason, was sentenced to 10 years' imprisonment by a state security court on charges which included "formation of an organization with intent to disintegrate national unity". His co-defendant, Abdu Hashim Hamdallah, received a two-year sentence for belonging to the Communist Party. Amnesty International had earlier taken up their cases for investigation as possible prisoners of conscience. The sentences of state security courts, which are composed mainly of officers of the police and security forces, are reviewed by the President of the Republic for confirmation or revision before being announced. Defendants have the right to legal representation, but no right of appeal. These and other aspects caused doubts about whether defendants received fair trials in these courts.

Amnesty International was concerned about the detention without trial of four people forcibly returned to Sudan after living in exile abroad. David Dak Gash, a former diplomat, was reported to have been arrested in Kenya on 14 March, although the Kenyan police denied arresting or holding him. He and two other southern Sudanese exiles who also "disappeared" in Nairobi were subsequently discovered to be detained in Kober prison in Khartoum. Ali Ibrahim, a doctor and exile member of the banned Democratic Unionist Party, was arrested in Egypt on 20 November, deported to Sudan despite Amnesty International's appeals to the Egyptian authorities, and arrested on arrival.

Amnesty International continued to press for the release of over 150 adopted prisoners of conscience. Most were held in Kober prison, in Khartoum, but some were transferred to Port Sudan prison in April. Among these were Mohamed Murad, a history lecturer, Sidgi Kaballo, a graduate student, Youssif Hussein, a Communist Party leader, and Mokhtar Abdullah, a trade unionist.

Those released during 1982 included several detained trade unionists; at least five members of the Arab Ba'athist Socialist Party detained in March 1979; three members of a section of the Umma Party who had been accused of a coup conspiracy in May 1980 but were never charged; six or more untried detainees belonging to a section of the Democratic Unionist Party opposing the government; and at least 60 alleged communists. Four members of the southern regional parliament, arrested in December 1981 for their involvement in a new unofficial "Council for the Unity of the Southern Sudan", were released in February. A fifth, Samuel Aru Bol, former president of the High Executive Council for the South, was freed in October without having been charged or tried.

Amnesty International appealed to President Numeiri to commute the death sentence imposed for murder on retired Brigadier General Awadal Karim Bakkar in May. No reply was received and he was executed in November. The number of those condemned to death or executed in 1982 was not known.



Swaziland

Amnesty International's main concerns were the death penalty, which was imposed on at least 15 people convicted of murder, and the imprisonment of Jehovah's Witnesses on account of their beliefs. The organization also took action on behalf of one political detainee released early in the year on condition that he leave the country, and was concerned about the safety of South African political refugees resident in Swaziland.

King Sobhuza II died on 21 August 1982 after more than 60 years on the Swazi throne. He had been Head of State and effective ruler of Swaziland throughout the period since independence in 1968. Dzeliwe, his senior wife, was appointed Regent and acting Head of State until the King's male successor, whose identity had not been disclosed by the end of 1982, reached the age of majority. Shortly before his death King Sobhuza had proclaimed a new policy-making body, the *Liqoqo* or Supreme Council of State. This became the highest authority in the country after the King and the Queen Mother, its members being appointed personally by the King or Regent.

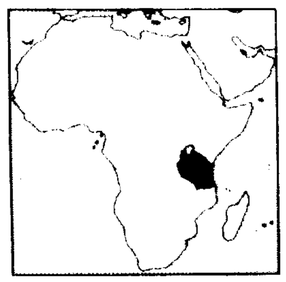
Amnesty International intervened in early January on behalf of Godfrey Mdhluli, a well-known lawyer who had been detained without trial for political reasons in October 1981 shortly after he returned to the country following several years abroad. He had been seeking the return of his Swazi citizenship, which was withdrawn by an administrative tribunal some years before, and had apparently been assured that he would not be detained. He was held on a Prime Minister's detention order, valid for 60 days, which was renewed once more in late December 1981. On 21 January he was freed on condition that he leave the country. He was escorted to the airport and put on a flight to Lesotho. He remained effectively stateless because of the withdrawal of his Swazi citizenship.

Amnesty International knew of no other detainees held under the 60-day law. However, in November Prime Minister Prince Mabandla Dlamini warned that the detention law would be used against people who engaged in political activities which had not been authorized by the government or attended meetings which had not been sanctioned in advance by the Commissioner of Police. Political parties had been effectively banned in Swaziland since 1973.

Following the death of the King a period of national mourning was proclaimed which lasted until 30 October. In accordance with custom, ploughing of fields was forbidden and adults were ordered to

cut their hair as a mark of respect for the late King. A number of Jehovah's Witnesses refused to obey this last instruction for reasons of religious belief and conscience. They were arrested and prosecuted. Some had their hair cut forcibly on the orders of the courts. At least 13 were sentenced to up to one year's imprisonment and others were fined. Amnesty International regarded them as prisoners of conscience.

The death penalty continued to be a major concern. At least 14 people were sentenced to death for murder during 1982, seven of them at one trial in June. The Appeal Court set aside in October the conviction and death sentence passed on Audrey Mthembu in April but was reported earlier in the year to have confirmed two death sentences imposed in previous years. It was not known whether any executions were carried out. In May Amnesty International wrote to King Sobhuza and government leaders about the use of the death penalty, seeking clemency for prisoners under sentence of death.



Tanzania

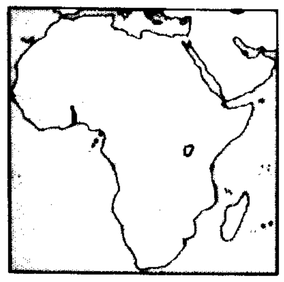
Amnesty International was concerned about the retention of laws allowing the indefinite detention without charge or trial of prisoners of conscience, and the death penalty.

Tanzania signed the African Charter on Human and Peoples' Rights on 31 May 1982.

Little information was available on the number or names of people detained without trial on mainland Tanzania under the Preventive Detention Act. A number of detainees were believed to have been released in 1982. Although the act had in previous years been used against political opponents, detainees in 1982 appeared to be mainly alleged "economic saboteurs".

Amnesty International learned of the arrest in Zanzibar during November of Ali Sultan Issa, a former Minister of Education, who was imprisoned from 1973 to 1978 and was then adopted as a prisoner of conscience. He was reportedly arrested in 1982 in connection with the circulation of leaflets criticizing the Zanzibar Government and calling for its resignation. Amnesty International requested details from the Zanzibar authorities on the grounds for his arrest and on his legal status, but received no reply by the end of 1982. He was presumed to be detained without charge or trial under Zanzibar's separate Preventive Detention Act. Amnesty International believed that he was a prisoner of conscience.

Amnesty International was concerned about the use of the death penalty, although the number of those sentenced to death or executed in 1982 was not known. In July the Minister of Justice stated that 444 death sentences had been commuted since independence in 1964, but that commutation was not extended to those convicted of murder in connection with robbery. The number of people executed since 1964 was not stated.



Togo

Amnesty International was concerned by the continued imprisonment of three political prisoners sentenced after a trial which fell short of internationally recognized standards, by the detention without trial of political prisoners and by harsh prison conditions. In November 1982 Togo ratified the African Charter on Human and Peoples' Rights.

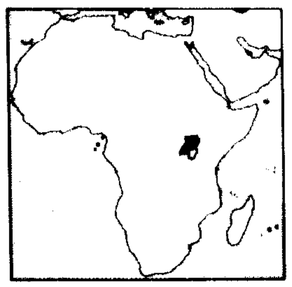
Amnesty International appealed throughout 1982 for a judicial review of the sentences imposed on Kodjovi Emmanuel de Souza, Kouao Stephan Sanvee and Kwassi Jean Savi de Tove, all of whose cases were being investigated by the organization. They were all convicted by the State Security Court in August 1979 on charges of conspiracy to overthrow the government. The first two were sentenced to death but later had their sentences commuted to life imprisonment. Kwassi Jean Savi de Tove received a 10-year prison sentence. During their trial, which was attended by an Amnesty International observer, the guilt of the accused was not adequately established, and the defendants were denied access to defence counsel at all stages of the judicial process.

Kouassivi Alphonse de Souza and Abalo de Souza, two other prisoners sentenced by the State Security Court at the same trial in August 1979, were pardoned by President Gnassingbe Eyadema in January 1982 and released.

Amnesty International continued to be concerned about the use of detention without trial, known as "administrative detention", to hold individuals suspected of political opposition to the authorities. In a letter to the authorities in January 1982 Amnesty International expressed its concern about the detention without trial of six individuals, including Placca Akouete, Elizabeth Mensah and Fini Koffi Louis, accused of printing or distributing "subversive documents", and appealed for information on the legal basis for these detentions.

No reply was received. At the end of 1982 Amnesty International was attempting to confirm reports that these six detainees had been released.

Conditions of detention at the Gendarmerie headquarters in the capital, Lome, were reported to be harsh. Detainees were held in dark, poorly ventilated cells and the quality and quantity of food was reportedly inadequate. Sanitation was poor, and visits very restricted. The political prisoners held at Lome's central prison were reported to receive inadequate food and to be denied both reading and writing materials.



Uganda

Amnesty International was concerned about the detention without trial of large numbers of actual or suspected political opponents of the government. Many of these were detained by the army without legal authority. Other detainees were held by the civil authorities under the Public Order and Security Act, often in disregard of their legal and constitutional rights, but generally in better conditions than those held by the army. Detainees in military custody were reported to have been routinely tortured, and many "disappeared" or were killed. Amnesty International was also concerned by reports of extrajudicial execution of civilians by army personnel.

Three years after the overthrow of President Idi Amin, the security situation in several parts of the country was still unsettled. In March the United Nations Commission on Human Rights appealed to governments and humanitarian organizations to assist the Government of Uganda to guarantee human rights and fundamental freedoms. Armed groups – the National Resistance Movement, the Uganda Freedom Movement, and the Uganda National Rescue Front (an organization of officials and soldiers of the former government) – operated in certain central districts and the West Nile area, and were responsible for the killings of a number of soldiers and civilian officials. Many unarmed civilians were reported to have been killed by the Uganda army in anti-guerrilla operations. Many thousands fled to neighbouring countries or were displaced within Uganda.

An Amnesty International mission visited Kampala in January 1982 and raised with President Milton Obote and government

ministers and officials the organization's concern over alleged abuses of human rights committed during 1981. In particular the delegates inquired about the detentions of political opponents. The government denied that there was a consistent pattern of human rights abuses and denied allegations that civilians had been detained or tortured by the army. It claimed that it held no political prisoners and justified detention without trial by reference to the armed threat posed by guerrilla movements. The authorities provided information or comments on over 350 prisoners about whom Amnesty International inquired, although the delegates' request to visit two particular detainees was refused. The delegates affirmed Amnesty International's understanding of the problems of restoring respect for human rights in the aftermath of the atrocities of President Amin's government but stressed that neither economic circumstances nor the armed guerrilla threat could justify violations of fundamental human rights.

On 5 August Amnesty International submitted to the government a memorandum based on the mission's findings, which contained detailed recommendations for measures to protect human rights. Amnesty International urged that no one be detained for their political opinions or activities and that all people arrested in political circumstances be charged and tried in accordance with the law; that civilians be protected from illegal detention and torture by the army, and that a special inquiry be established into reports of torture at Makindye and Kireka military barracks and the army offices in Nile Mansions in Kampala; that conditions in military and civil prisons be brought up to internationally accepted standards; that all "disappearances" of detainees, deaths in custody and illegal killings by soldiers be fully investigated, and that those responsible be brought to justice. Amnesty International also declared that it did not condone political killings by anti-government forces.

In September Amnesty International launched an international campaign to end these human rights violations.

The government responded to Amnesty International's memorandum on 1 September. It repeated its denial that gross human rights abuses had occurred, and accused Amnesty International of "hostile criticism" and of "gross discourtesy" in publicizing its concerns at the same time as engaging in a dialogue with the government. On 18 October Amnesty International replied to the government's criticisms. Noting that the government had failed to give substantive replies to a number of Amnesty International's concerns, it reiterated its recommendations. Amnesty International recognized the importance of some steps that had been taken but stressed that continuing reports of arbitrary arrests and detentions, torture, deaths in custody and killings by the army indicated the urgent need for more vigorous measures.The

government had not replied to Amnesty International's communication of 18 October by the end of 1982.

During 1982 Amnesty International continued its investigations into the cases of over 50 prisoners taken up in 1981, as well as appealing on behalf of many others arrested in 1982. In May the government published the names of 239 people detained indefinitely without charge or trial under the Public Order and Security Act (1967). Amnesty International welcomed this step but the government did not respond to its further inquiries on 11 June about detainees not on the list, and about other safeguards against misuse of the special powers in the act. The act requires that detainees' names be published within 30 days and the constitution requires *inter alia* that detainees be served with a formal detention order within 14 days of arrest, and that their cases be reviewed by an independent review tribunal within two months and thereafter at six-monthly intervals. A further list of 179 detainees was published in July. Some detainees were released during 1982, but further detentions took place later in the year, and the number of those detained under the act at the end of 1982 was not disclosed. Amnesty International learned that the detention review tribunal began its work in August.

A small number of people arrested in political circumstances were formally charged and brought before a magistrate. To Amnesty International's knowledge no political prisoners were tried. Some were released after charges were dropped and others were held pending trial. For example, Antony Ocaya, Secretary General of the opposition Democratic Party, was arrested in Kampala by soldiers during Amnesty International's mission in January and reportedly tortured in Mbuya military barracks. He was transferred to police custody two days later. He was charged with possession of seditious literature, but was released on bail three days later, and the charge was later dropped.

Amnesty International welcomed the release of a substantial number of prisoners during 1982. Thirty-five untried detainees were released on 1 January 1982 and 155 more named detainees were released on 17 January. They included four opposition members of parliament. A further 1,200 detainees, whose names were not published, were freed on 28 August to mark Uganda's 20th anniversary of independence. They were believed to include political prisoners such as John Kaliisa, a former ambassador, and Ambrose Okullo, a former government minister, as well as several hundred members of ex-President Amin's security forces. The government stated that during 1981 and 1982 it had released over 5,500 members of ex-President Amin's security forces detained in 1979, leaving possibly fewer than 300 still detained, mostly without charge. Some other

prisoners for whom Amnesty International had appealed were released during 1982, including Daniel Musisi, a doctor, who had reportedly been tortured and shot in the feet in Makindye military barracks in late 1981.

Amnesty International believed that some of the released prisoners had been prisoners of conscience. However, in many cases of people arrested in political circumstances, it was impossible to determine whether they were prisoners of conscience or not, due to the scale of the arrests, the disregard for legality, and the authorities' frequent refusal to acknowledge or explain the arrest. Those arrested were commonly accused of being guerrillas or guerrilla collaborators.

Several thousand people were detained during 1982 in mass arrests. Over 100 people were reportedly arrested by soldiers in the Rubaga Cathedral area of Kampala on 23 February after a guerrilla attack against the Malire army barracks. Some of those arrested – who included children and hospital patients – were later found dead, or "disappeared". Several thousand people were arrested in Kampala in March and April in joint police and military security operations. The majority were released within hours after identity checks but several hundred were reportedly transferred to military custody where a significant proportion were believed to have been tortured and many killed. Amnesty International appealed to President Obote on 15 April to investigate reports that over 70 prisoners were killed in Katabi barracks in Entebbe at the end of March, but received no response.

Although the army has no legal authority to hold civilians in custody, hundreds of civilians were allegedly taken to Nile Mansions army offices for military interrogation and then held in military barracks such as Makindye, Mbuya, or Kireka. Many were never seen again, and reports indicated systematic torture and frequent deaths or killings of prisoners in these barracks. David Ibanda, an elderly doctor arrested in Jinja on 26 March, died in Mbuya military barracks in Kampala the next day. Dan Etole, a member of the Uganda Red Cross executive committee, was arrested in Kampala by soldiers on 7 October and last seen at Nile Mansions military interrogation offices. President Obote announced a commission of inquiry into the death of Dr Ibanda, but, by the end of 1982, it was not clear whether the commission had commenced inquiries or reached any conclusions. Amnesty International's urgent appeals for an inquiry into the "disappearance" of Dan Etole met no response.

Amnesty International continued to press the authorities for information on the whereabouts and fate of several people reported to have "disappeared" after arrest by military personnel in 1981. They included Constantine Kabazaire, a former magistrate, and other

Uganda Patriotic Movement members arrested in Mbarara on 15 May 1981; Beatrice Kemugisha, a Makerere University lecturer in educational psychology, arrested on 10 September 1981 and allegedly taken to Kireka barracks and tortured; and Stephen Mulira, an accountant, arrested in Kampala on 4 April 1981 and last heard of in military custody in Nile Mansions. No satisfactory replies were received. Concern over alleged "disappearances" in Uganda was also expressed in February by the United Nations Working Group on Enforced or Involuntary Disappearances.

Amnesty International received frequent, detailed and consistent allegations of torture in several military establishments, notably Makindye, Kireka, Katabi and Mbuya barracks, and the military offices in Nile Mansions in Kampala. Other military barracks, and a number of private houses allegedly used as secret military detention centres, were also reported as places of torture. Torture methods reportedly included beatings with sticks, batons, guns, leather whips, electric cable and chains; shooting in the legs and feet; crushing of hands and feet; rape and other sexual tortures of women; and death threats.

In addition to being tortured, prisoners in military detention centres were given very little food or none at all for days at a time, and were refused medical treatment. Detentions were unacknowledged and unrecorded, and detainees were held incommunicado. Huge ransoms were reportedly demanded from some prisoners' relatives to obtain their release. Many prisoners were allegedly killed arbitrarily.

Conditions in civil custody in Luzira Upper Prison, a maximum security prison near Kampala where those detained under the Public Order and Security Act and other prisoners were held, were better. Amnesty International received no reports of torture, medical treatment was provided and prisoners were allowed some reading material, exercise, and religious services. They were, however, often denied visits and correspondence with relatives and lawyers, and suffered poor diet and unhygienic conditions.

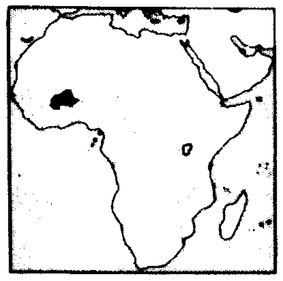
The government ordered the International Committee of the Red Cross to withdraw from Uganda in March 1982. Until December 1981 it had been granted regular access to detainees in Luzira prison held there since the overthrow of the Amin government. Cardinal Nsubuga, head of the Catholic church in Uganda, was allowed to visit Luzira prison in April 1982, and stated that the prisoners seemed to be generally well-treated, although shortages of medicines and medical equipment were noted.

Reports were received of numerous incidents of arbitrary and illegal killings of civilians by the army. Some occurred during anti-guerrilla operations in the areas of armed conflict, but it was alleged

that many killings had no direct connection with confrontations between the army and guerrillas.

Some hundreds of people were said to have been killed in the districts of Mpigi and Lowero during 1982. In two such incidents, over 60 villagers were reportedly killed by the army in Matuga and Kawanda villages, 20 kilometres north of Kampala, in mid-April; and at Kasanje and Ssisa villages in Mpigi south district, 40 kilometres southwest of Kampala, over 80 villagers were reportedly rounded up by the army at a government assembly on 12 July, beaten and taken away – their bodies were later found in nearby forests.

The government denied that there was a pattern of extrajudicial executions by the army, and stated that killings were being carried out by guerrillas wearing stolen army uniforms. Amnesty International was unable to investigate this. The government also informed Amnesty International that where abuses by the security forces were reliably reported, those concerned were apprehended and dealt with in accordance with the law. Amnesty International asked for information on any legal proceedings in connection with such incidents.



Upper Volta

Amnesty International was concerned about the detention without trial of trade unionists, of members of a political organization supporting the trade unionists, of two students, and of some 30 senior officials in the overthrown administration of former President General Sangoule Lamizana.

On 16 January 1982 a spokesman for the ruling *Comité militaire de redressement pour le progrès national* (CMRPN), the Military Committee of Recovery for National Progress, announced the arrest of four leading members of a left-wing political organization known as the *Ligue patriotique pour le developpement* (LIPAD), Patriotic League for Development. Their arrest followed the publication in LIPAD's newspaper – called *Le Patriote* (The Patriot) – of a photograph of Soumane Toure, leader of the *Confédération syndicale voltaique* (CSV), Trade Union Confederation of Upper Volta, one of the country's four main trade union confederations. The CSV was banned by the CMRPN in November 1981. The newspaper also reportedly published statements by Soumane Toure criticizing the CMRPN's policy towards the trade unions. Soumane Toure himself had gone into hiding in November

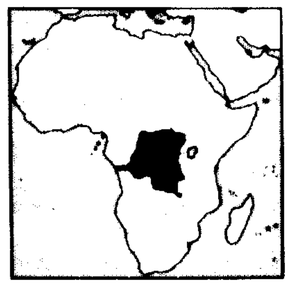
1981, when the authorities issued an order for his arrest. The LIPAD members were released in mid-February without being charged. At the same time the CMRPN rescinded a ban on all strikes which had been imposed in November 1981, but imposed severe restrictions on the legal use of strike action by trade unions. In April 1982 the constituent unions of the banned CSV confederation called a three-day strike to protest against the new restrictions on striking, the banning of the CSV and the arrest warrant against Soumane Toure. The authorities charged 154 trade unionists with unlawful strike action, and a first group of 82 of these were tried *in camera* and sentenced to pay a fine in September 1982. At the same time Soumane Toure was apprehended by the authorities and taken into detention. In October 1982 Amnesty International appealed to CMRPN leader Colonel Saye Zerbo to provide information as to the legal basis of this detention. The authorities did not respond.

In March 1982 students Joseph Ilboudo and Norbert Zongo, who had been held without charge since April 1981 (see *Amnesty International Report 1982*), were released from detention. Amnesty International had appealed to the authorities in 1981 for their immediate trial or release.

Amnesty International continued to appeal for the trial or release of some 30 former senior officials of the administration of General Sangoule Lamizana which was overthrown by the CMRPN in November 1980. Those arrested and held without trial included former President Lamizana, Prime Minister Joseph Conombo and 17 government ministers, and several former high-ranking officials. Most were held in military camps in Ouagadougou, the capital, and Bobo-Dioulasso, where they were not allowed visits. In late April 1982 the CMRPN announced the establishment of a special court, composed mainly of military officers and non-jurists appointed by the authorities, which appeared to have been created specially to try the former officials. It was defined as competent to try all political offences, all criminal acts with a political motivation and embezzlement, fraud and corruption. Some crimes defined by the law establishing the court were made retroactively punishable, and no appeal was possible to a higher court.

On 7 November 1982 the CMRPN was overthrown in an armed coup, reportedly backed by a majority of non-commissioned officers and lower-rank soldiers of the Upper Voltan army. Five people were reported killed during or shortly after the coup, including Lieutenant-Colonel Nezien Badembie, Minister of the Interior and of Security. According to official sources he was shot and killed while attempting to escape from custody. A new ruling body, known as the *Conseil provisoire du salut du peuple* (CPSP), People's Provisional Salvation

Council, was created and the CMRPN was formally dissolved and its members arrested and detained. In its first radio statement the CPSP attacked the CMRPN for alleged corruption and for "the unjustified repression of workers, pupils and students by banishment and by arrest". In one of its first decrees the CPSP ordered the release from prison to house arrest of the former officials arrested in November 1980. Trade union leader Soumane Toure was also released from detention and placed under house arrest. Several dozen other trade unionists who had apparently been banished in April 1982 to remote towns were allowed to return to Ouagadougou. In December 1982 the authorities announced that the former senior officials arrested in November 1980 would be brought to trial within six months before the special court established by the CMRPN.



Zaire

Amnesty International remained concerned about the detention without charge or trial of suspected political opponents of the government, many of whom were believed to be prisoners of conscience. A number of detainees arrested during 1980 and 1981 were released, but new detentions were also reported. Amnesty International was concerned about the forcible conscription into the army of 95 students whom it considered to be prisoners of conscience until their release from the army in November 1982. More than 20 prisoners of conscience were tried and convicted by the State Security Court during 1982. Amnesty International also received detailed allegations of torture, and reports of extrajudicial executions by security forces. It was concerned by the frequent imposition of the death penalty.

Amnesty International obtained information on some 200 named individuals arrested for political reasons during 1982, many of whom were released by the end of the year. However, there were many others about whom Amnesty International received less specific information. It was consequently not possible to estimate the number of political prisoners at any one time. The number of prisoners of conscience adopted by Amnesty International varied between about 30 at the beginning and end of the year and more than 100 in mid-1982.

In December 1981 President Mobutu Sese Seko had invited Amnesty International to visit Zaire for a second time. The organization

sought on several occasions during 1982 to send delegates to continue the discussions with the Zairian Government which had begun in 1981. Amnesty International also attempted to send an observer to a political trial. However, the authorities would not agree to receive Amnesty International's delegates. In October the invitation was withdrawn shortly after President Mobutu claimed in an interview on French television that his was the only government in Africa to have twice invited Amnesty International to its country.

Throughout 1982 Amnesty International was concerned by the incommunicado detention without charge of prisoners suspected of criticizing the government or of maintaining links with illegal political parties. No measures appear to have been taken by the authorities to limit the security services' powers of arrest and long-term detention. Although they informed Amnesty International in May that the cases of untried detainees named in Amnesty International's appeals were being communicated to the judicial authorities to expedite proceedings, many detainees continued to be held for months without any reference to the courts.

The military security service, as well as its civilian counterpart, continued to arrest and detain civilians suspected of opposing the government. For example, two civilians who returned to Zaire from Brazzaville, in neighbouring People's Republic of Congo – Muteba Tshitenge and Wamba-dia-Wamba – were known to have been detained by the military security service in Kinshasa.

The civilian *Centre national de recherches et d'investigations* (CNRI), National Research and Investigation Centre, was responsible for the detention of suspected opponents of the government throughout the country, notably in Kinshasa, Bukavu and Lubumbashi. Many were held for between one and six months and then released. Detainees held by the CNRI in Bukavu in early 1982, for example, included a doctor accused of writing a pamphlet criticizing a new Zairian nationality law, a student suspected of links with an opposition group and a man suspected of helping a former official to flee from the country. All were released in May 1982. In Bukavu in August 1982 students and academics were arrested, accused of links with government opponents outside Zaire. Some were still held uncharged at the end of 1982.

Amnesty International was concerned about the detention without trial of refugees living in Zaire and about the arrest and detention of Zairian citizens forcibly returned to Zaire from other countries. At the beginning of the year several Angolan refugees were held by the CNRI in Kinshasa apparently because they had refused to join the *Comite militaire de resistance angolaise* (COMIRA), Angolan Resistance Military Committee, a new organization formed to oppose

the government in neighbouring Angola. In January 1982 the CNRI detained Luis Ranque Franque, a leader of the *Frente de Libertaçao do Enclave de Cabinda* (FLEC), Cabinda Enclave Liberation Front, upon his arrival in Zaire after being deported from Gabon. He was held without charge for more than six months and eventually transferred to hospital.

In November 1982 Amnesty International learned of the forcible repatriation from the Congo to Zaire of a Zairian refugee, Eke Akanga N'Koy. A former soldier who had been detained in Zaire during 1981, he had escaped and left the country. He was detained in the Congo between July and September 1982 and then rearrested and forcibly returned to Kinshasa in November 1982. In July 1982 two of his relatives had been arrested in Kinshasa after visiting him in the Congo. They were reported to have been severely ill-treated by the CNRI. At the end of 1982 he escaped from custody and returned to the Congo.

Amnesty International was also concerned about the forcible conscription of 95 students into the army for 10 months during 1982. The students came from Kinshasa University and from two other institutes of higher education in Kinshasa where students staged a strike for higher grants at the end of January 1982. The three institutes were closed by the government at the beginning of February 1982 and it was announced that 84 students accused of organizing the strike and described as "subversives" were being conscripted into the army for two years. They included the entire leadership of the university's branch of the ruling party's youth wing and other students who appear to have been arrested arbitrarily.

Within a few days most of the students were sent to a special military training camp at Kota-Koli, in Equateur region. However, 15 students were questioned by the CNRI and held at the CNRI detention centre for more than a month. In March 1982 they and 11 more students who had been arrested were sent to Kota-Koli. They were reported to be held in harsh conditions at Kota-Koli camp and not allowed to leave the camp or to communicate freely with their relatives. Amnesty International adopted as prisoners of conscience all 95 students. In November the authorities announced that all 95 were being released from their military obligations and allowed to return to Kinshasa to continue their studies.

In June 18 people adopted by Amnesty International as prisoners of conscience appeared before the State Security Court in Kinshasa accused of supporting a new political party, the *Union pour la democratie et le progres social* (UDPS), Union for Democracy and Social Progress. In all, 45 people had been arrested either in Kinshasa or in Shaba province in March and April 1982 in connection with this

case. However, 26 of these detainees were released uncharged in June 1982 after preliminary examination of their cases by the State Security Court.

Twelve of the trial defendants were former People's Commissioners (elected members of the National Assembly) who had been arrested in January 1981 after signing an "open letter" criticizing President Mobutu. They were later restricted to isolated villages until December 1981, as was Kibassa Maliba, a former government minister. All 13 were released in December 1981. They then applied for permission to form a new party, the UDPS. In March 1982 some of them were arrested during a visit to Shaba region, where more than 30 other people were also arrested and accused of helping to form an illegal political party. Under Zaire's one-party constitution the establishment or membership of any other political party is a criminal offence.

Nineteen people were eventually referred to the State Security Court for trial. At the first hearings the principal defendants declared that they did not have the defence lawyers of their choice and the trial was adjourned. On 28 June 1982 it began again. One of the People's Commissioners did not respond to his summons and the 18 other defendants refused to enter the court on the grounds that it had been packed with government supporters. The trial began in their absence but five of the defendants eventually entered the court.

The trial lasted half a day and the verdict was announced four days later. Most of the defendants were convicted under Article 196 of the criminal code, which makes it an offence to conspire to destroy or change the constitutional form of government. Kibassa Maliba and the 12 former People's Commissioners, including one tried *in absentia*, were sentenced to 15 years' imprisonment, the maximum penalty under Article 196. Five of the six others were convicted: two received suspended sentences and three sentences of between one and five years' imprisonment. One defendant was acquitted after his lawyers apologized to the court for his actions. Twelve of the defendants lodged appeals with the Supreme Court, but these were turned down on the grounds that the correct court fees had not been paid. Amnesty International believed that all those convicted were prisoners of conscience and appealed for their release.

Four other people were reported to have been convicted by the State Security Court; one in April on charges of bringing subversive documents into the country and three for belonging to an illegal political party. All four were adopted as prisoners of conscience. Amnesty International also continued to press for the release of 10 other adopted prisoners of conscience convicted at trials in March 1978 and January and November 1980.

Amnesty International received reports that torture was used during 1982 at detention centres in Bukavu, Kinshasa and Lubumbashi. Ill treatment was said to be particularly severe at detention centres administered by the military security service: women alleged that they had been raped by soldiers and male prisoners were said to have been severely beaten. Detainees held by the CNRI were also reported to have been tortured. In January 1982 a deaf and dumb woman is reported to have been thrown down stairs at the CNRI headquarters in Kinshasa in an attempt to make her speak and in February 1982 a student leader held there was subjected to electric shocks. Several detainees arrested in Kinshasa in June and July 1982 by the CNRI were reported to have been so badly treated that they had to be transferred to hospital.

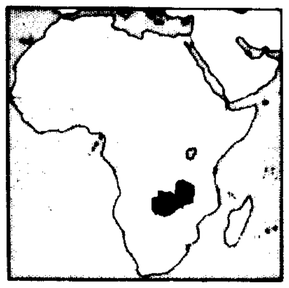
Despite Amnesty International's appeals to the authorities to prevent torture and in particular to limit the use of incommunicado detention, no known attempts were made to prevent the systematic ill-treatment of political detainees, nor were cases of ill-treatment reported to court authorities properly investigated.

During the first few months of 1982 Amnesty International received a series of reports from the Lubumbashi area alleging that a special unit attached to the military security service had killed suspected political opponents. Although few details were available, considerable circumstantial evidence was presented that civilians arrested in Lubumbashi had been taken out of the town after a short period of imprisonment and then deliberately killed. They were said to include suspected supporters of illegal political groups. Reports of similar killings had been received before from Lubumbashi, particularly concerning the periods from 1966 to 1971 and 1977 to 1979. The government made no response to inquiries about the killings.

Amnesty International remained concerned by the frequency with which the death penalty was imposed by the courts. No political prisoners were reported to have been condemned to death. Mandatory death sentences on prisoners convicted of murder were imposed by civilian courts throughout the country. In January eight people were sentenced to death by a military court at Kikwit, in Bandundu region, after being convicted of armed robbery. Three of the defendants were civilians who were tried by a military court because they were accused of being in league with five soldiers.

In April a non-commissioned officer was sentenced to death by a military court in Kinshasa only three days after he had allegedly killed one student and wounded another in an incident which provoked considerable publicity. Four months later his sentence was commuted upon appeal and reduced to two years' imprisonment.

It is not known how many death sentences were carried out.



Zambia

Amnesty International was concerned about the detention without trial of alleged opponents of the government, several of whom were taken up for adoption or investigation as prisoners of conscience, and by the trial of 13 people accused of treason. There were also reports of torture relating to 1981 and earlier. At least 15 people were sentenced to death for criminal offences and one execution was known to have been carried out.

The Preservation of Public Security Regulations continued to be used to detain without trial real or suspected opponents of the government and, it would appear, certain criminal suspects whom the authorities were not prepared to prosecute in the courts. Under the regulations the President is empowered to authorize detention without trial for an unlimited period outside the jurisdiction of the courts. It is required that detainees be informed of the formal grounds for their detention, that their names be published in the Government Gazette and that their cases be subject to review by a specially established tribunal within one month and thereafter at half-yearly intervals. This tribunal can recommend release or continued detention, but the President is not obliged to implement its recommendations.

Those in detention under the regulations included at least nine people arrested in mid-1981 in connection with an alleged plan to help the 13 treason trial defendants escape, a former supporter of the United Progressive Party (UPP), which was banned in 1972, and several alleged followers or associates of Adamson Mushala. Adamson Mushala, whom the authorities claimed had been trained as a guerrilla fighter by South African forces in Namibia, was shot and killed by Zambian soldiers in November after several years of violent criminal activity in North Western Province.

Several detainees sought release by applying to the courts for writs of *habeas corpus*. Most argued either that the formal grounds for their detention had no validity or that their detention orders were invalid because legal procedures had not been fully observed. Such applications were normally heard by the courts only after considerable delays and were generally unsuccessful. For example, two men detained in 1977 for allegedly providing food and clothing to Adamson Mushala and his followers were denied *habeas corpus* in August despite the state's failure to bring charges against them in the five years since their arrest. In late July, however, the Ndola High Court ordered the release of Emmanuel Mwamba, a former diplomat and supporter of the UPP

who had been detained without trial under a Presidential order since August 1979. The court ruled that it was unreasonable for him to continue in detention for allegedly assisting in the preparation of a political leaflet which another court had earlier ruled was neither seditious nor subversive. Emmanuel Mwamba had been adopted as a prisoner of conscience by Amnesty International.

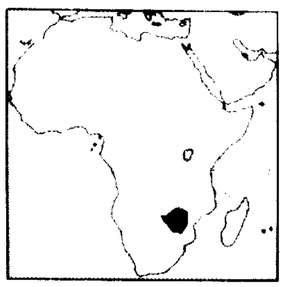
The trial of 13 people charged with treason following an alleged plot to overthrow the government in October 1980 started in the Lusaka High Court in January. The defendants, who included Edward Shamwana, a prominent lawyer, and Valentine Musakanya, a former governor of the national bank, had, with two exceptions, been held in custody since late 1980. Godfrey Miyanda, a former army officer, had been returned forcibly from Zaire in May 1981, when the defendants first appeared in court to be charged and remanded in custody. Mundia Sikatana, a lawyer, was arrested and added to the list of defendants in August 1981, shortly before another defendant, former Air Force Commander Major-General Christopher Kabwe, was discharged and released after agreeing to become a prosecution witness.

All the defendants denied the treason charges. When the trial opened in January, Mundia Sikatana applied unsuccessfully for his own discharge on the grounds that the President had in writing promised him immunity from prosecution. The judge turned down this request, but allowed him to appeal to the Supreme Court, which subsequently said it had no jurisdiction to hear the appeal. One of the defendants became ill but the trial of the 12 others continued until August, when four were discharged following the presentation of the prosecution case. Those freed included Mundia Sikatana, whose case had been taken up for investigation by Amnesty International, and Godfrey Miyanda. The trial closed in October, but judgment had not been given by the end of 1982. The defendants faced a mandatory death sentence if convicted of treason

New information became available about the alleged use of torture in 1981 and earlier. In August Christopher Chawinga, an Air Force Warrant Officer detained in mid-1981 for alleged involvement in a plan to bring about the treason trial defendants' escape, told the Lusaka High Court during a *habeas corpus* action that he had been stripped naked and assaulted by security police officers first at the Central Police Station in Lusaka and then at the Police Training School in Lilayi. Similar allegations of assault were made by Faustino Lombe, whose case was taken up for investigation by Amnesty International, and by other detainees arrested in mid-1981 in connection with the alleged escape plot (see *Amnesty International Report 1982*).

In August the Supreme Court upheld an earlier court decision granting substantial damages to seven former detainees who had been assaulted by police in December 1979. They had been arrested on suspicion of spying for the government of Bishop Abel Muzorewa in Zimbabwe.

Some 15 people were known to have been sentenced to death during 1982, most for murder but at least four for armed robbery. One execution is known to have taken place. In all, more than 50 people convicted of serious criminal offences were believed to be under sentence of death and awaiting execution at the end of the year. Several were believed to have been under sentence of death for more than five years.



Zimbabwe

Amnesty International was concerned about the use of detention without trial under emergency legislation in force since 1965. The state of emergency was renewed twice during the year, each time for six months. Amnesty International was also concerned about allegations of torture and ill-treatment of detainees and reports of deaths in detention. The first executions since independence in 1980 were carried out in September 1982.

In February the government announced the discovery of substantial arms caches on farms owned by Joshua Nkomo's Patriotic Front (PF) party, the minority party in the ruling coalition. PF supporters living on the farms were arrested, PF assets were confiscated and Prime Minister Robert Mugabe dismissed Joshua Nkomo and certain other PF leaders from the cabinet. For a time the government threatened to arrest Joshua Nkomo but no such action had been taken by the end of the year. However, in March Dumiso Dabengwa, former head of the PF's military wing, and Lookout Masuku, the senior PF officer in the national army, were arrested. They were later charged with treason and remanded in custody on several occasions, but their trial had not begun by the end of the year.

Following the dismissal of Joshua Nkomo and the arrest of PF military leaders, a number of former PF guerrilla fighters deserted from the army and engaged in armed opposition to the government. These "dissidents", as they were termed by the authorities, remained

active throughout 1982. They were apparently responsible for an increasing number of civilian killings, particularly in Matabeleland, and in July for the abduction of six foreign tourists who were still missing at the end of the year despite an intensive search by security forces. The kidnappers reportedly demanded the release of PF military leaders as a condition of the tourists' release.

The government responded to the dissidents' activities with increasing severity, deploying large numbers of soldiers in Matabeleland. At the end of 1982 Amnesty International was receiving reports of human rights abuses by government forces against civilians suspected of sympathizing with the dissidents. Large numbers of people were said to have been arrested, and apparently detained illegally by the army, at newly constructed internment camps at Tsholotsho, Lupane and Nkayi. Allegations of brutality and killings of civilians by soldiers were also received but were difficult to substantiate.

Amnesty International was not able to estimate the number of people arrested for political reasons during 1982 but they were many. In addition to civilians, they reportedly included some former guerrillas who had been integrated into the national army and who were detained to prevent them deserting and joining the dissidents. Several long-time supporters of the Zimbabwe African People's Union (ZAPU), as the PF was formerly known, were also arrested. Among them was Vote Moyo, a former long-term detainee and prisoner of conscience who had become a member of parliament in 1980. He was one of a number of people arrested in June allegedly in connection with an incident in which shots were fired at the home of Prime Minister Mugabe. He was alleged to have helped plan the attack, which occurred more than a week after his arrest.

The most widely reported detentions were those of a number of white people, including a member of parliament, two journalists, several farmers and certain high-ranking air force officers. Some of their cases were the subject of legal actions which resulted in decisions against the government and led to considerable tension between the executive and the judiciary.

Wally Stuttaford, one of 20 white members of parliament, was arrested in December 1981. He was held for two months under 30-day detention orders and then, still uncharged, was served with a ministerial detention order of indefinite duration issued under the Emergency Powers Regulations. He contested his detention in the courts and in late July the High Court ruled that he had been detained illegally for seven months. However, he had been charged a week earlier with plotting against the government and so he remained in custody until October, when his case finally went to trial. He was

acquitted and discharged but detained again shortly after leaving the court. However, he was held only briefly before being released unconditionally. Three witnesses summoned to give evidence against him, but whose testimony did not substantiate the charges against him, were detained after the trial, and were still held at the end of 1982.

Earlier, Wally Stuttaford brought a legal action against the government alleging that he had been assaulted in the first weeks of his detention. The case was heard in June and he was believed to have proved his case and been awarded substantial damages. However, in accordance with government instructions, the court hearing was conducted *in camera* and its outcome was kept secret.

The case of Alan and Noel York, farmers from Figtree, also gave cause for concern. Arrested in January, they were acquitted in May on charges of possessing arms but were immediately detained again under ministerial detention orders but not charged. In July, they brought an action before the High Court, which declared their detention unlawful. The state appealed against this decision but it was upheld by the Supreme Court which ordered their immediate release. They were freed but detained once more on their way home. They brought a new action before the High Court, which again ordered their release but the authorities refused to comply or to disclose the whereabouts of the two men. The Chief Justice reportedly protested to the Prime Minister. Their detention orders were then amended to circumvent the court decision, but in late August they were released unconditionally after their relatives appealed for Prime Minister Mugabe's intervention.

In June the wives of Dumiso Dabengwa and Lookout Masuku successfully applied to the High Court for the right to visit their husbands, who had been denied visits since late March. The state appealed against the ruling but it was upheld by the Chief Justice. A similar action was taken in September when lawyers representing three detained air force officers applied for access to them. The hearing was heard *in camera* on government orders but the court decided in the lawyers' favour. They were permitted to visit their clients, whom they subsequently alleged publicly had been tortured and assaulted under interrogation. At least 11 air force officers had been detained incommunicado following an incident in July, when aircraft at the country's main air base were sabotaged. None had been brought to trial by the end of 1982.

In addition to the allegations made by the detained air force officers, and earlier by Wally Stuttaford, a number of black prisoners alleged that they had been tortured during interrogation by members of the Central Intelligence Organisation (CIO). For example, in

November four former PF guerrillas arrested in April after dissidents attacked a village told the magistrate at their trial that they had been beaten and tortured at Karoi while being interrogated by CIO officers. They claimed also that another man detained with them had been beaten to death under interrogation. The magistrate accepted their torture allegations but later convicted them of possessing arms.

The detainee who allegedly died in custody in April was Collen Mhlanga, a former PF guerrilla who was a lieutenant in the army. In June Amnesty International expressed concern about the circumstances of his death in custody and asked the Home Affairs Minister, Dr Herbert Ushewokunze, if there had been an official inquiry. The organization also urged the Minister to make public the names of all detainees held under emergency powers and to take action to ensure that they were safeguarded from ill treatment in custody. No reply was received. A further death in custody was reported in October, when Joseph Dube, a former PF guerrilla arrested for illegally possessing arms, was said to have committed suicide in a police cell.

The government's response to torture allegations was unsatisfactory. Following the action brought by Wally Stuttaford, the government amended the Emergency Powers Regulations to provide all members of the security forces with immunity against prosecution for any act committed "in good faith" for the purpose of preserving "the security of Zimbabwe". This provision, similar in nature to the Indemnity and Compensation Act which the government repealed in 1980, also empowered the Minister of Defence to halt court actions already instituted against the government if they concerned acts by security forces personnel committed in good faith or if it was "in the national interest". Later in the year two lawyers who disclosed the detained air force officers' torture allegations were themselves arrested and charged with making subversive statements and with contempt of court. They were released to await trial in 1983.

The first executions since independence were carried out in September when two men convicted of murder were hanged. Following these executions, leading members of the government reportedly stated that in future greater use would be made of the death penalty to punish captured dissidents who had deserted from the national army. Earlier, at the beginning of September, Prime Minister Mugabe had announced that such dissidents might in future be tried by court-martial and sentenced to death, though no such courts-martial were known to have been held by the end of 1982. No further executions were known to have taken place after the two in September. At least 11 people were sentenced to death during 1982. Most had been convicted of murder.

The Americas

Argentina

Amnesty International continued to be concerned about the lack of progress in clarifying the unresolved question of those who "disappeared" after the military coup of March 1976, despite persistent attempts by human rights groups and relatives to obtain information from the authorities. Seven cases of politically motivated abduction followed by "disappearance" were reported in 1982: in five cases the "disappearance" was temporary and the detention of the victim was officially acknowledged; in the two other cases the bodies of the victims were subsequently found. Amnesty International remained concerned that government agents were continuing to make arrests without following legal procedures, and by reports of torture during unacknowledged detention. Amnesty International received information about numerous arrests and about short-term detention, particularly in connection with public demonstrations and meetings. Amnesty International was also concerned about prisoners held without charge at the disposal of the National Executive Power (the PEN prisoners) under the state of siege. Some prisoners had been detained since the 1976 military coup without charge or trial; others remained in detention after completing sentences imposed by the civil courts.

During 1982 there was increasing pressure on the authorities from various sectors of Argentine society, international bodies and foreign governments whose nationals have "disappeared" to clarify the question of the "disappeared" prisoners. In February 1982 the Minister of the Interior, General Alfredo Saint Jean, indicated that information on the "disappeared" would be provided on request to relatives. However, in June, before his retirement from office,

General Saint Jean suggested that relatives should pursue their inquiries through the courts.

Yet over the years the executive's reluctance to cooperate with the judiciary has made relatives' attempts to obtain information fruitless. Legal measures, such as *habeas corpus* petitions presented by families, have failed to elicit information. This failure to cooperate was indicated by Judge Pedro Narvaiz in his resignation letter of 1982: "if the Executive itself states that all irregularities and errors should be taken before Justice, it is necessary to give the judiciary the means and information required for it to carry out its function; and to show particular respect to its rulings, which is not happening in a satisfactory manner". One reason for the judge's resignation was the refusal of Army Commander Nicolaides to provide names of military personnel from a unit in Comodoro Rivadavia allegedly responsible for the illegal abduction and detention of Juan Patricio Maroni who "disappeared" on 5 April 1977. The Auditor General of the Army stated that General Nicolaides would not provide the information for reasons of national security. Judge Narvaiz had indicated that he would refer the case to the Supreme Court.

In August 1982 the Argentine press reported that an amnesty law was being considered which would benefit a limited number of political prisoners, but which would also prevent the prosecution or punishment of military personnel involved in "disappearances". Amnesty International expressed its concern about these reports and referred to Resolution 15 of the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities which urges states "to repeal or refrain from adopting laws which could impede inquiries into such disappearances".

On 26 October 1982 Amnesty International called for a full investigation to determine the identity of approximately 400 corpses discovered in 88 unmarked graves in the Grand Bourg cemetery in Buenos Aires and to determine whether they had been legally buried. Witnesses testified that between 1976 and 1979 bodies had been brought to the cemetery at night by vehicles belonging to the security forces.

Local human rights groups initiated separate inquiries through the courts after the discovery of similar graves in 12 Argentine cemeteries. An investigation by Judge Raul Pierini into unmarked graves in La Chacarita Cemetery, Buenos Aires, revealed the names of 76 individuals buried there. The bodies of 53 people had already been handed over to relatives; 23 others were identified for the first time. Eight had been registered by Amnesty International on its list of the "disappeared".

The investigations revealed a series of irregularities involving

police, military and judicial personnel. These concerned the preparation of death certificates and the failure to inform judicial authorities and relatives. In November 1982 the *Centro de Estudios Legales y Sociales* (CELS), Centre for Legal and Social Studies, a human rights group, held a news conference about the abduction of Norberto Gomez in November 1976. Norberto Gomez had reportedly been shot by the security forces; the court morgue, under orders from the military authorities, had buried the body. A death certificate had been issued but his family had not been informed. CELS filed a complaint to the Federal Court of Appeals maintaining that the Supreme Court judicial morgue had violated its legal functions by failing to notify judges of at least six other cases where burial in unmarked graves had been ordered.

On 6 October 1982 Amnesty International made available a document containing information on 365 "disappeared" persons received since it published a list of the "disappeared" in March 1980. Amnesty International had information on over 3,900 individual cases. Human rights groups in Argentina have estimated that the total number of "disappearances" may be 15,000.

Amnesty International learned of further abductions followed by ill-treatment and torture in 1982 and intervened on behalf of seven individuals. There was no news of one of the victims, abducted in December 1982. The bodies of two others were subsequently discovered. On 4 February 1982 Ana Maria Martinez, a factory worker and supporter of the *Partido Socialista de los Trabajadores* (PST), Socialist Workers' Party, was abducted by an armed man and woman in a Ford Falcon car (a vehicle regularly used by the security forces) near her home in Buenos Aires. The local police refused to register a complaint by an eye-witness. A *habeas corpus* petition was presented. On 17 February 1982 the Minister of the Interior announced that her body had been found in a Buenos Aires suburb. Marcelo Dupont's body was found in a residential suburb of Buenos Aires on 7 October 1982. He had "disappeared" from his home on 30 September 1982, some days after his brother had testified in a court case which had revealed details of the activities of the navy and of its alleged involvement in the "disappearance" of the former Argentine Ambassador to Venezuela, Hector Hidalgo Sola on 18 July 1977, and the abduction and murder of diplomat Elena Holmberg in December 1978. An autopsy revealed that some of Marcelo Dupont's injuries had been caused by electric shocks before his death.

Amnesty International was concerned that government agents were continuing to make arrests without following legal procedures. Four individuals abducted in June and July 1982 were subsequently officially acknowledged as detainees. Miguel Angel Del Pla, a worker

at the Renault car plant in Cordoba, "disappeared" on 22 June 1982. A *habeas corpus* petition presented on his behalf was rejected on 24 June 1982. During a visit to the presidential palace on 28 June, a delegation of Argentine human rights lawyers was informed that he had been detained by Cordoba police in connection with the distribution of pamphlets outside a factory. A statement by the Cordoba police indicated that he was being detained at the request of the military and the judiciary. The judiciary subsequently denied issuing an arrest order. After his detention was acknowledged Miguel Angel Del Pla was still refused visits from his lawyer and family. Amnesty International received reports that he was subjected to electric shock torture in detention.

In a statement issued on 12 March 1982 the Buenos Aires Bar Association referred to the judiciary's failure to guarantee constitutional rights, and stated: "the existence of torture as a system of police investigation is a notorious and indisputable fact, as is the constant retrogression of the guarantees of liberty, security and dignity of persons".

During 1982 approximately 450 prisoners who had been detained *a la disposicion del Poder Ejecutivo Nacional* (PEN), at the disposal of the National Executive Power, under the state of siege (known as the PEN detainees) were released into restricted liberty. Among them were 54 prisoners of conscience adopted by Amnesty International. Prisoners in restricted liberty are confined to a given area and have to report regularly to the authorities. Violation of the restrictions, which are normally imposed for six months, carries a prison sentence of two to eight years. At the end of 1982 Amnesty International estimated that approximately 200 PEN prisoners were still detained. Amnesty International learned of several cases in which the executive had refused to comply with the judiciary's release order. In November 1982 Amnesty International appealed on behalf of adopted prisoner of conscience Jorge Mario Domingo Marca, a lawyer detained without charge since 1974. Following the presentation of a *habeas corpus* petition in November 1982 a federal court ordered Dr Marca's release. The executive appealed against the decision and in December 1982 the judge challenged the executive's power to hold prisoners under the state of siege when conditions for its imposition no longer existed. Dr Marca was still in detention at the end of 1982.

Amnesty International remained concerned about political prisoners convicted by *consejos de guerra especiales y estables*, special standing military tribunals, established by Decree 21.264 in 1976. Such tribunals not only flout Article 18 of the Argentine Constitution on the right to a fair trial but also fail to conform to internationally recognized standards, by not allowing adequate defence rights or open hearings. On 19 August 1982 a group of relatives called for the release of political prisoners and the review of all sentences imposed by military courts. In December the judiciary commuted the sentences passed by military courts on 82 prisoners and ordered their immediate release.

Amnesty International continued to receive reports of inadequate medical treatment for prisoners and of psychological disturbances, particularly among long-term prisoners, caused by the prison regime. The most serious reports came from Caseros prison in Buenos Aires where on 29 June 1982 Jorge Toledo, a prisoner who had served four and a half years of a six year sentence, committed suicide. On 9 July the Minister of Justice guaranteed psychiatric help for 15 political prisoners whose depression was of particular concern. However, Amnesty International continued to learn of prisoners not receiving adequate medical attention. In 1982 Amnesty International organized appeals on behalf of 11 prisoners with medical problems in various jails. On 2 September 1982 Caseros prison was closed and its inmates transferred to the prisons of Rawson, Chubut Province and La Plata, Buenos Aires Province.

During 1982 Amnesty International appealed on behalf of numerous detainees, including Dr Jose Westerkamp, a leading human rights campaigner who was detained for three days in Trelew, Chubut Province, after criticizing conditions in Rawson jail in December 1981.

Mass arrests followed by short-term detention regularly occurred before and during demonstrations organized by trade unions, political parties and human rights groups. From September 1982 members of human rights groups, including the *Madres de Plaza de Mayo*, Mothers of the Plaza de Mayo, CELS and the *Asamblea Permanente por los Derechos Humanos* (APDH), Argentine Permanent Assembly for Human Rights, filed legal complaints after receiving death threats. Posters bearing the names of five of the *Madres de Plaza de Mayo* and calling them "Mothers of Terrorists" were plastered outside their homes. Amnesty International called on the government to investigate such incidents, and reports of death threats and attacks on journalists, political figures and trade union leaders.

In May 1982 Amnesty International submitted material to the United Nations under the procedure to examine allegations of a "consistent pattern of gross and reliably attested violations of human rights". The submission referred to the question of the "disappeared" and the continued detention of PEN prisoners. Amnesty International also submitted information to the UN Working Group on Enforced or Involuntary Disappearances.

Barbados

Martin Marsh was hanged on 28 September, having been sentenced to death for murder at the age of 17 in January 1981. His execution contravened the International Covenant on Civil and Political Rights, to which Barbados is a party. Article 6(5) states "Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age . . .".

Amnesty International wrote to the government on 16 November, expressing deep regret at the execution and urging the government to bring the laws of Barbados into line with international standards. In October 1981 the government had informed Amnesty International that although Barbados law provided the death penalty for murder for people over the age of 16, the representations made by Amnesty International would be taken into account by the Privy Council in advising the Governor General on clemency.

Five people were sentenced to death in October 1982, one of whom was reportedly under the age of 18. The last execution before that of Martin Marsh was in October 1980.

Bolivia

The armed forces, who had seized power in July 1980, continued in office until September 1982. During this period Amnesty International's concerns were widespread arrests without charge or trial, ill-treatment and torture of prisoners and extrajudicial executions. A further concern was the activities of paramilitary groups linked to the security forces, which were reportedly involved in arrests of and attacks on opponents of the military government. In September 1982 the military government resigned and on 10 October Hernan Siles Zuazo was inaugurated as President. During the remainder of the year Bolivia's human rights record improved. Amnesty International received no further reports of political arrests and the civilian government took steps to investigate killings and "disappearances" during previous military governments.

Following the July 1980 military coup, political and trade union activities were suspended. Many of the arrests in 1982 followed demonstrations, strikes and other protests by students, trade unionists and politicians against the military government's economic measures and human rights record. Between January and September 1982 Amnesty International appealed on behalf of 207 people, seeking confirmation of arrests and guarantees of physical safety.

Individuals were arrested without warrant and were initially held incommunicado. Most were detained for a few weeks or months without charge or trial and then released. Families were denied access to their imprisoned relatives and were often unable to establish where they were held. Amnesty International remained concerned that arrests failed to comply with legal provisions. One agency reportedly involved in such abuses was the *Departamento de Inteligencia del Estado* (DIE), State Intelligence Department, which replaced the *Servicio Especial de Seguridad* (SES), Special Security Unit, disbanded in 1981. Despite official assurances in 1981 that the DIE would not have repressive functions and that it would have a new staff, Amnesty International continued to receive reports that former SES personnel operated in the DIE and that the unit was responsible for ill-treatment and torture. The beating of prisoners during arrest and detention was common and Amnesty International also learned of prisoners being subjected to the electric prod (*picana electrica*). One female prisoner was reportedly raped in detention.

In March 1982 Amnesty International appealed for the release of Luis Lopez Altamirano, the Secretary General of the *Confederacion de Trabajadores Fabriles de Bolivia* (CTFB), Bolivian Confederation of Factory Workers. He was arrested on 8 February 1982 and taken to the main detention centre for political prisoners in La Paz – the *Departamento de Orden Politico* (DOP), Department of Political Order, where he was reportedly tortured by DIE agents: he was blindfolded, his wrists and ankles were tied to the corners of a bed and electric shocks were applied to his mouth, nostrils, ears and genitals. On 16 February 1982 a paramilitary group attacked and ejected from the offices of the *Conferencia Episcopal Boliviana* (CEB), Bolivian Bishops' Conference, 22 factory workers who were staging a hunger strike in protest against the government's economic measures and the continued detention of their leader, Luis Lopez. On 16 April the Minister of the Interior, Romulo Mercado Garnica, ordered Luis Lopez's release.

Over 100 people were reportedly detained in the Cochabamba area during the weekend of 27 March 1982. During a peaceful demonstration on 26 March in Cochabamba paramilitary groups, reportedly with the support of regular troops, shot at the demonstrators causing six deaths. Eleven people were hospitalized and there were

numerous arrests. On 1 April 1982 Amnesty International called on the President to set up an inquiry into the deaths and urged that those detained be humanely treated.

On 26 May 1982 President Celso Torrelio declared a general amnesty for political exiles and announced that restrictions on trade union and political activities would be lifted. Government statements indicated that the amnesty would permit exiles to return but that it would not cover those in detention. A number of exiled Bolivians, including Genaro Flores, leader of the *Confederacion Sindical Unica de Trabajadores Campesinos de Bolivia* (CSUTCB), Rural Workers Confederation of Bolivia, for whom Amnesty International had campaigned in 1981, returned to Bolivia. However, arrests, ill-treatment and torture were reported after the amnesty. The activities of paramilitary groups reportedly linked to the security forces also continued. On 6 July 1982 the parliamentary deputy of the *Movimiento Nacionalista Revolucionario de Izquierda* (MNR-I), Nationalist Movement of the Revolutionary Left, Zenon Barrientos, was reportedly abducted by four hooded paramilitary personnel in La Paz. He was forced into a car, tied up and beaten. After two hours he was left in the Aranjuez area of the city.

General Celso Torrelio Villa and his cabinet resigned on 14 July 1982 and General Guido Vildoso Calderon was sworn in on 19 July. The new government undertook to respect human rights, but Amnesty International continued to learn of arrests and of attacks by paramilitary groups. Following General Vildoso's resignation on 17 September the 1980 Congress was reconvened and Hernan Siles Zuazo, leader of the MNR-I, was inaugurated as President on 10 October 1982.

A continuing concern throughout 1982 was the fate of Bolivians who had "disappeared" during previous military governments. Amnesty International highlighted the case of José Luis Martínez Machicao, a university student and bank worker, who "disappeared" after his detention on 12 December 1980. Figures published in November 1982 by the *Asamblea Permanente por los Derechos Humanos* (APDH), Permanent Assembly for Human Rights, a Bolivian human rights organization, indicated that as many as 164 individuals had "disappeared" since 1979. In December 1982 the APDH criticized the commission of inquiry set up by the civilian government for its delay in investigating such "disappearances".

A *Tribunal de Honor de las Fuerzas Armadas*, Armed Forces Commission of Inquiry, was set up in November 1982 to investigate the killing of eight leaders of the *Movimiento de la Izquierda Revolucionaria* (MIR), Movement of the Revolutionary Left, following a raid on La Paz house by the security forces on 15 January 1981. The only survivor, MIR parliamentary deputy Gloria Ardaya, testified

that the eight leaders had been machine-gunned to death by military and civilian personnel. Gloria Ardaya had subsequently been imprisoned for 45 days in the DOP and the Ministry of the Interior where she had been tortured.

The *Partido Socialista I* (PSI), Socialist Party I, filed a legal complaint in November 1982 against former President General Garcia Meza and former Minister of the Interior Colonel Luis Arce Gomez in connection with the killing of its leader Marcelo Quiroga Santa Cruz. He was killed by the security forces during a raid on the headquarters of the *Central Obrera Boliviana* (COB), Bolivian Trade Union Central, on 18 July 1980.

Decree Law 19276, adopted by the civilian government in November 1982, abolished state security agencies including the DOP, SES and DIE "since these groups . . . have committed a series of acts and actions denigrating to the human condition by lending themselves to the service of instruments of repression and torture".

The Special Envoy on Bolivia appointed by the United Nations, Hector Gros Espiell, paid a second visit to the country in November 1982 to investigate the human rights situation. His report was to be presented to the United Nations Human Rights Commission in 1983.

On 12 August 1982 Bolivia acceded to the International Covenant on Civil and Political Rights and its Optional Protocol.

Brazil

Amnesty International was concerned about the continued prosecution of civilians by military courts under the *Lei de Segurança Nacional* (LNS), Law of National Security. During the year Amnesty International monitored approximately 20 cases involving over 150 individuals. Among those to face court proceedings were journalists, politicians, trade unionists and church workers. Some resulted in conviction and imprisonment; others in acquittal or suspended sentences. A number of individuals were permitted to await the outcome of further appeals in provisional liberty. Throughout 1982 Amnesty International received reports of the killing and torture by the police of criminal suspects.

In June 1982 Amnesty International sent an observer to the trial of two French priests adopted by Amnesty International as prisoners of conscience, Father Aristides Camio and Father François Gouriou. The priests and thirteen *posseiros* (peasant squatters) had been

arrested on 31 August 1981 in São Geraldo do Araguaia (see *Amnesty International Report 1982*). A military court in Belem, Para, found the priests guilty under Article 36 of the LNS of "inciting violent struggle between social classes" and imposed sentences of 15 years' imprisonment for Father Camio and 10 years for Father Gouriou. Twelve *posseiros* were convicted under Article 31 of the LNS ("using violence for reasons of dissidence or socio-political non-conformity against those in authority") and sentenced to eight years' imprisonment. One, João Matias da Costa, was sentenced to nine years' imprisonment. In a report to the authorities Amnesty International expressed concern at the ruling of the *Auditoria Militar*, military court, given the lack of conclusive evidence against the priests and numerous irregularities in the case, including reports that the *posseiros* had been coerced and ill-treated in detention. In Amnesty International's view the hearing failed to meet internationally recognized standards for a fair trial, and contravened the Code of Military Penal Procedure.

An Amnesty International observer attended the appeal lodged by the priests and *posseiros* in Brasilia in December 1982. In a split vote the *Superior Tribunal Militar* (STM), Superior Military Tribunal, upheld the earlier convictions but reduced the sentences on Father Camio and Father Gouriou to 10 and eight years respectively. The *posseiros*' sentences were left unchanged. Amnesty International expressed the view to President Figueiredo on 3 December 1982 that no evidence had been brought during the appeal to indicate that the priests were guilty of the charges and that Amnesty International continued to believe that they were prisoners of conscience. Amnesty International requested the transfer of the *posseiros* to a civilian detention centre. Since their arrest they have been held in the 1° COMAR (*1 Comando Aereo Regional*), First Regional Air Command, barracks in Belem where conditions are reportedly harsh.

Amnesty International appealed on behalf of Juvêncio Mazzarollo, a journalist on the newspaper *Nosso Tempo*, sentenced by a military court under Article 42 paragraph V of the LNS, (which covers "insults and slanders" against public officials), to one year's imprisonment. Amnesty International also intervened on behalf of journalists imprisoned for writing articles alleging misappropriation of funds by government officials. Three journalists from the Rio de Janeiro weekly *Hora do Povo* – Pedro de Camargo, Ricardo Lessa and Claudio Cardoso Campos – were sentenced to one and a half years' imprisonment under Article 42 paragraph V of the LNS. Their sentences were increased on appeal to two years three months. The Superior Federal Tribunal confirmed the longer sentences in September 1982. The defendants had been at liberty pending the outcome of their second appeal but were detained in October 1982.

On 16 April 1982 a military court in São Paulo heard a third appeal by 11 trade unionists, including Luis Inacio da Silva ("Lula"), against conviction under the LNS resulting from a strike in 1980 (see *Amnesty International Report 1982*). The STM ruled that the strike had not infringed national security legislation but the case was transferred to the civilian courts to determine whether anti-strike laws had been broken. The defendants were not in detention. Five of the defendants also faced other charges under the LNS.

In July 1982 Amnesty International intervened on behalf of 13 people arrested on 1 July 1982 during a public meeting in Salvador, Bahia, to launch a magazine investigating "disappearances" in the Araguaia region during the 1970s. All were released after a few days but their lawyer stated that a complaint would be brought against the police in connection with the reported torture of five of the detainees. On 13 December 1982, 91 members of the banned *Partido Comunista Brasileiro* (PCB), Brazilian Communist Party, were arrested in São Paulo. All were subsequently released but investigations continued to determine whether charges would be brought.

Amnesty International received reports of killings of criminal suspects. Official figures quoted by the Commander of Military Police, General Arnaldo Braga, put the number of deaths between January and 31 August 1982 at 363. Most of the killings were said to have happened during arrest but some prisoners reportedly died in custody.

Amnesty International continued to receive reports that ordinary criminal prisoners were tortured and ill-treated in detention. On 4 August 1982 the former director of the *Ilha Grande* Prison, Captain Paulo Antonio Güedes de Lima, was sentenced to five years' imprisonment for the ill-treatment and torture of prisoners. The Archbishop of Rio de Janeiro, Cardinal Eugenio Salles, had accused Captain Lima of practising brutality and torture on prisoners in the jail (see *Amnesty International Report 1982*).

Amnesty International also called upon the authorities to investigate a number of political killings in rural areas. Among the victims were trade union leaders and lawyers who had defended peasants involved in local land issues. Amnesty International was concerned about the apparent lack of action by local authorities.

Chile

Amnesty International's major concerns were: persistent allegations of torture of detainees by the security forces 95 known complaints were submitted in 1982 to the courts; the first two judicial executions in several years; the continued detention of prisoners of conscience; the short-term detention of hundreds of people, either individually or in groups during non-violent demonstrations; and the banishment without trial of 66 people after non-violently expressing their political beliefs. It was also concerned about the lack of progress in the investiagions of some 650 documented cases of "disappearances" since 1973 and the killings in suspicious circumstances of members of the opposition, reportedly by the security forces or by "death squads" alleged to be composed of members of the security forces.

An Amnesty International mission went to Chile from 23 April to 15 May 1982 to examine people who said they had been tortured in the custody of the security forces or by armed civilians thought to be members of the security forces. Two of the mission delegates were doctors. On arrival, the delegation asked for appointments with the Ministers of the Interior and of Justice. Neither minister replied and the delegation was therefore unable to meet the Chilean authorities during its visit.

The delegation interviewed and carried out detailed medical examinations of 19 people, 18 of whom said they had been tortured by members of the security forces. It met several local doctors specializing in the treatment and rehabilitation of torture victims. It collected more than 60 written testimonies and evidence of torture from other alleged torture victims or their relatives.

Seventeen of the people examined said they had been slapped, punched, kicked or beaten with a blunt instrument, and 14 said they were tortured with electric shocks (eight in the genitals). Most said they had also been the victims of psychological methods of torture, including mock executions, sleep deprivation and threats to their lives and those of their families. A 19-year-old trainee social worker, arrested at the beginning of 1981, said she was punched, kicked and electrically tortured, raped four times, and forced to lie beside a decomposing corpse. She was arrested, interrogated by the *Central Nacional de Informaciones* (CNI), secret police, and released without charge after 20 days in incommunicado detention. She had

been receiving psychiatric treatment since her release. The majority of the former detainees alleged that they had been in contact with a doctor while held in a torture centre, and that they had been medically examined just before torture and again afterwards. It was alleged that some medically trained personnel participated directly in torture. Thirteen of the former detainees said they had been tortured in a secret detention centre of the CNI located at 1470 Calle Borgoño in central Santiago. All of them said no legal warrant was presented at the time of their arrest.

The Amnesty International delegates found that the descriptions of torture were entirely compatible with the signs and symptoms found on examination. The Amnesty International delegation found that the arrest, detention and interrogation procedures employed by the CNI and other branches of the security forces violated principles in both the constitution and the code of penal procedure. Some actions by officials of these forces appeared to justify prosecution for criminal offences under the penal code.

The Amnesty International delegation also found that the courts had not taken effective action to prevent detainees from being tortured and had commonly failed to respond to ***recursos de amparo*** (similar to petitions for ***habeas corpus***) within the 48-hour period stipulated by law. They had rarely issued orders to the security forces to produce the detainees in court within 20 days - the period for which the Minister of the Interior may hold them without charge under emergency legislation. Furthermore the courts had not found and punished those responsible for torture of detainees. Most investigations into the involvement of members of the security forces were carried out by the military judiciary, which systematically closed investigations for "lack of evidence".

After the mission, Amnesty International continued to receive allegations of torture of detainees by the security forces. During 1982, Amnesty International launched 24 urgent appeals on behalf of 350 people who risked being tortured. Amnesty International received testimonies from several individuals on whose behalf it had intervened, confirming the systematic use of torture.

Amnesty International was concerned about the use of the death penalty. No judicial death sentences had been carried out since 1967 (although in 1973 there had been reports of summary executions of many supporters of the government of President Salvador Allende). On 22 October Gabriel Hernandez Anderson and Eduardo Villanueva, former security agents, were executed by firing-squad. They had been sentenced to death for murder and bank robbery. President Pinochet had declared shortly after their arrest that he would not reprieve them if they were sentenced to death. On 22 June and 7 October Amnesty

International appealed to President Pinochet to commute their sentences.

In another move towards the greater use of the death penalty, the Minister of the Interior informed the press that a new anti-terrorism law being prepared by the government contained provisions for sentencing to death those found guilty of terrorist offences. However, the law was not promulgated during 1982.

The government continued to renew regularly the state of emergency and the State of Danger of Disturbances to Public Order under the terms of the constitution. In particular, Interim Provision 24 of the constitution was frequently invoked by the Minister of the Interior to arrest political suspects "by order of the President of the Republic", hold them incommunicado for up to 20 days, banish them for three months to remote parts of the country, or expel them from the country. During 1982, 1,789 detentions under this provision were recorded by local human rights groups. Sixty-six people were banished for three months without trial, and five were expelled from the country on the orders of the Minister of the Interior. Of the 39 people actually charged and committed for trial, only six were accused of terrorist activities. This relatively small number supported allegations by human rights groups that emergency legislation was used to repress political dissenters rather than to respond to the violent acts of armed opposition groups.

Former prisoner of conscience Manuel Bustos, President of the unofficial *Coordinadora Nacional Sindical*, National Trade Union Co-ordinating Body, and Hector Cuevas, President of the *Confederacion Nacional de Trabajadores de la Construccion*, National Federation of Construction Workers, were arrested on 2 and 3 December, respectively, accused of having organized a demonstration on 2 December to publicize social grievances of the workers. The demonstration was dispersed violently by the police with the help of a group of civilians armed with sticks and chains who assaulted several trade union leaders, journalists and human rights lawyers who sustained serious injuries. Formal complaints were lodged by the *Colegio de Periodistas*, Journalists' Association, and were being investigated by the courts. Manuel Bustos and Hector Cuevas were expelled from the country on 3 December on the orders of the Minister of the Interior. In Temuco in southern Chile, 20 farmers were detained on 3 December and their leader, Carlos Podlech, was expelled from the country the following day, accused of having organized an illegal meeting to protest against the economic policies of the government. *Recursos de amparo* lodged on behalf of Manuel Bustos, Hector Cuevas and Carlos Podlech were all rejected by the Court of Appeal.

Trade unionists, students and relatives of "disappeared" prisoners were detained for short periods. On 23 July 1982, 11 members of the *Agrupacion de Familiares de Detenidos Desaparecidos*, Association of Relatives of "Disappeared" Prisoners, were arrested in the Plaza de Armas during a peaceful demonstration on behalf of the "disappeared" prisoners. Two were released the same day, but nine were held without charge for five days in a Santiago police station. They were subsequently released unconditionally.

In a series of demonstrations on 15 December, 277 people were arrested in Santiago, Concepcion and Valparaiso. The demonstrations had been called to protest against government economic policies and the expulsion of Manuel Bustos and Hector Cuevas. Among those arrested were students, relatives of the "disappeared" and of political prisoners, and trade unionists. All but 15 were unconditionally released within five days. The remaining 15 people were banished for three months under Interim Provision 24 of the 1981 constitution, without charge or trial. Amnesty International appealed on their behalf.

In past years secret organizations such as the COVEMA, *Comando Vengadores de Martires*, and *Comando Carevic*, alleged to be formed by members of the security forces, have been accused of being responsible for the killing of members of the opposition. Such paramilitary groups continued to harass and threaten human rights workers linked to the Church.

On 26 February the body of trade union leader Tucapel Jimenez was found on the outskirts of Santiago. He was leader of the *Asociacion Nacional de Empleados Fiscales*, National Association of Fiscal Employees. An investigation was opened into the killing but no one had been found responsible by the end of the year. After the killing, several key witnesses, relatives of Tucapel Jimenez, and lawyers involved in the case received death threats. At least three people left the country because of these threats. These included two men who had identified CNI agents who had reportedly been following Tucapel Jimenez before his death.

Amnesty International continued to receive reports of poor prison conditions and harassment of political prisoners. In particular, the organization was concerned at reports of long delays in the provision of medical treatment. The medical treatment available in most prisons was limited and the only medicines usually available were analgesics such as aspirin. Other medicines prescribed by prison doctors had to be provided by the prisoner's family. Amnesty International received several reports of prison authorities refusing to allow these medicines to be handed over to the prisoners. Amnesty International also received reports that prison authorities delayed or refused permission for visits by external doctors, or for prisoners to attend outside clinics even when such visits had been authorized by the courts. The political

prisoner Cecilia Radrigan was reportedly denied an X-ray for a suspected gastric ulcer for four months.

Such delays sometimes resulted in unnecessary deterioration in the health of prisoners. On 13 August 1982 Amnesty International appealed on behalf of Mario Ulises Figueroa Zapata, arrested on 31 May 1982 and held in secret detention by the CNI for several days before being taken to the public prison in Concepcion. He was reportedly tortured while in secret detention. When transferred to prison he was in need of medical treatment, but the prison authorities reportedly refused to allow a prison doctor to examine him and other prisoners arrested with him. Subsequently, they were allowed only minimal attention in the prison sick bay. The prison authorities eventually allowed a forensic doctor to see them.

Prisoners of conscience Sergio Patricio Aguilo Melo, Ignacio German Molina Valdivieso and Pablo Fuenzalida Zegers, along with several others, who had been charged and sentenced to 541 days of *extrañamiento* (exile) for belonging to the banned *Izquierda Cristiana*, Christian Left, and then freed on bail, had their sentences suspended by the Supreme Court in December. Amnesty International had repeatedly requested the government to drop charges against them.

Several prisoners of conscience were released during the year and expelled from the country, including Hector Figueroa Yañez, sentenced to 19 years and six months, and Julio Vial Aranda, sentenced to 12 years. At the end of December 1982 some 150 people were in prison accused of activities against the state. Over 100 others were free on bail pending the outcome of their trials. Amnesty International was working on behalf of 59 prisoners of conscience or possible prisoners of conscience.

Amnesty International continued to press the authorities to clarify the fate of some 650 documented cases of prisoners who "disappeared" between 1973 and 1977. No progress was reported during the year, in spite of overwhelming evidence in many of the cases of the involvement of the security forces in the arrest and "disappearance" of the victims.

Amnesty International submitted information on human rights violations to the United Nations Commission on Human Rights, the UN Working Group on Enforced or Involuntary Disappearances, the Inter-American Commission on Human Rights, and other intergovernmental and non-governmental organizations. In December 1982 the UN special rapporteur on Chile stated that he was not in a position to report an improvement in the human rights situation in Chile, and that none of the recommendations made by the international community during 1982 had been heeded.

Colombia

Amnesty International's long standing concerns were affected by the lifting of the state of siege on 20 June 1982, and a general amnesty in November 1982 which freed most political prisoners, including all those whose cases had been taken up by Amnesty International as prisoners of conscience or possible prisoners of conscience. Continuing concerns included reports of torture; the "disappearance" of a number of political prisoners; extrajudicial executions during counter-guerrilla operations in isolated rural areas; and evidence of police and military responsibility for the killings of at least 96 Colombians attributed by the security forces to an independent "death squad".

The lifting of the state of siege by the government of President Julio Cesar Turbay Ayala brought an end to the broad powers of the army to detain, interrogate and bring before military courts civilians charged with political crimes. As an immediate consequence, trials in progress were transferred to civilian criminal courts and many political prisoners were ordered released by civilian judges who determined that there were no grounds for prosecution.

Shortly before the lifting of the state of siege, military courts dropped charges and ordered the release of some prisoners of conscience adopted by Amnesty International who had been held pending trial for one or more years. Among them were five *campesinos* (peasants) from the remote region of Arauca detained without trial since 8 November 1980. Adopted prisoners of conscience released shortly after the lifting of the state of siege included Jose German Toro Zuluaga, a national teachers' union leader who was abducted on 28 September 1981 by a plainclothes army intelligence unit and then "disappeared" for 10 days before his arrest was acknowledged (see *Amnesty International Report 1982*). He was released on 22 July 1982.

There was an upsurge of incidents in which members of political opposition groups and trade unions, and former political prisoners, were detained and killed in operations ascribed by the security services to a supposedly independent "death squad" called *Muerte a Secuestradores*, Death to Kidnappers, known as MAS. The first killings took place in December 1981 and claimed as victims trade unionists and political opposition figures. Military spokesmen attributed the killings to MAS, which they said had been created by the criminal underworld to combat left-wing guerrillas. Evidence suggesting direct

involvement of the armed forces in the actions was, however, received by Amnesty International.

On 9 March 1982 Amnesty International cabled the President to express concern at the killing earlier that day of lawyer Jorge Enrique Cipagauta Galvis. He had previously received death threats in the name of MAS which warned him to stop defending political prisoners in military trials. Amnesty International urged an inquiry into the killing and physical protection and guarantees for other lawyers.

In May 1982 Amnesty International published evidence from a series of cases linking the army to abductions and killings officially attributed to MAS, including people whose detention was initially attributed to MAS by military spokesmen, who were subsequently acknowledged to be in military custody. In January 1982 Colombian news media had cited confidential sources within the Ministry of Defence claiming that the "death squad" activity launched in December 1981 was organized by a section of the army's Military Intelligence Service; labour organizations made similar claims. A document issued by the *Confederacion Sindical de Trabajadores de Colombia* (CSTC), Trade Union Federation of Colombian Workers, in February 1982 said one unit of the "death squad" was part of the army intelligence section in the Medellin Fourth Army Brigade. The *Federacion Colombiana de Educadores*, Colombian Teachers' Federation, whose leaders had received death threats in the name of MAS, told a news conference on 16 February 1982 that it held the security services accountable for actions attributed to MAS. It cited the case of a typist for the union detained and interrogated on 16 February by hooded men who said they were from MAS. After her release she reportedly attempted to leave the city, but was intercepted at Bogota airport by police who warned her not to leave the city on pain of further action by MAS.

Most of the killings attributed by the army to MAS were reported from rural zones undergoing intensive operations by army counter-guerrilla forces. A number of former political prisoners freed after their cases had been passed to the civil courts were also seized and killed. In the months from June to August Amnesty International observed an escalation in reports of extrajudicial executions by uniformed and plainclothes security forces. On 20 August another lawyer who defended political prisoners – professor of law Alberto Alava Montenegro – was murdered after receiving threats in the name of MAS.

On 7 August 1982 President Belisario Betancur took office and pledged to introduce a far-reaching law of amnesty for members of guerrilla groups and for political prisoners. In reaction to Dr Alava's murder on 20 August President Betancur made his first major

statement condemning the killings attributed to MAS and declaring that he had ordered its "unmasking" in order "to return to the country the image of a civilized nation". Notwithstanding the President's actions, "disappearances" and killings attributed to MAS were to continue throughout 1982 and spread to most parts of the country.

On 13 September Amnesty International issued a report on the proliferation of extrajudicial executions in Colombia. It focused on individual abductions and killings, and on incidents in which the army's attribution of illegal actions to MAS appeared intended to conceal unlawful actions directed by sectors of the army itself. Cases cited in the report included that of Camilo Restrepo Valencia, released after two years' imprisonment in July 1982, who was abducted on 9 August in the city of Cali by plainclothes men who identified themselves as members of MAS. Although police initially denied that he had been detained, sources confirmed that he was in the custody of the National Police intelligence division, F-2, and on 10 August he was released. As Camilo Restrepo walked away from police headquarters with his mother he was shot dead by a man in civilian clothes armed with a silenced pistol. Amnesty International had appealed on behalf of Camilo Restrepo after his detention by F-2 in February 1980 with fellow students Jorge Marcos Zambrano and Oscar Fernando Ortega; after transfer to the army's Third Brigade headquarters in Cali the three were interrogated under torture and Jorge Marcos Zambrano died as a consequence. Although the army then denied that Jorge Marcos Zambrano had been detained, and his body was dumped in the outskirts of Cali, the case attracted public attention and the authorities acknowledged that Zambrano had in fact been detained.

The army interrogators of the three prisoners were put on trial, which was still in progress at the end of 1982. Camilo Restrepo Valencia was the principal witness of Zambrano's torture and death; the second witness, student Oscar Fernando Ortega, sought political asylum in Mexico following the killing of Camilo Restrepo.

Amnesty International appealed for the authorities to investigate a series of killings in rural areas attributed by the army to paramilitary groups or to MAS. Cases cited in Amnesty International's September 1982 report included the detention, torture and murder of nine *campesinos* on 4 August at the settlement "El Lagarto" in Amalfi, Antioquia department, reportedly for having "assisted guerrillas" operating in the area. The bodies of the nine were subsequently found mutilated; one of the dead had his tongue and eyes removed, others were disfigured by acid and all had gunshot wounds. The killings occurred in an area then administered by the army, and were attributed by residents to plainclothes army troops accompanied by civilian

irregulars. Residents said that seven other local people detained on 4 August remained missing.

The report cited a letter to the civilian governor of the department of Santander signed by leaders of nine communities in the mountainous areas of western Santander and dated July 1982 which requested help to halt massive arrests and killings by forces of the Army's Fifth Brigade. The letter protested against killings by "a paramilitary group, formed and directed by the army based in San Juan Bosco de Laverde". Killings reported in early July 1982 and described in the letter included that of Casimiro Amado, "carried out in Santo Domingo del Ramo by a group of soldiers and the paramilitary band of San Juan Bosco de Laverde" and Julio Bardosa, killed by "soldiers attached to the Fifth Brigade".

An investigation into the "disappearances" and killings attributed to MAS was begun by the Attorney General, Dr Carlos Jimenez Gomez shortly after the change of government in August 1982. Teams of special investigators were sent to rural "militarized" zones and cities where a particularly high incidence of these cases had been reported. A report was completed at the end of December 1982 for the consideration of President Betancur, and, according to unofficial reports, confirmed the involvement of the armed forces. Although Colombian news media reported opposition from the armed forces to the publication of the findings, Attorney General Jimenez Gomez was cited as insisting that the report be made public in early 1983.

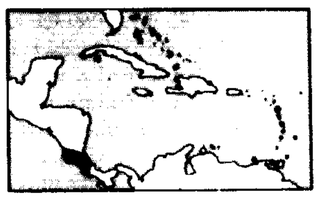
On 19 November 1982 President Betancur signed into law a sweeping law of amnesty for collaborators with Colombia's several armed guerrilla movements and for political prisoners. An estimated 400 political prisoners, most of them convicted by military courts for the crime of "rebellion", were released in subsequent weeks. All prisoners adopted or taken up as possible prisoners of conscience by Amnesty International were released. Although the amnesty excluded prisoners convicted of certain crimes, such as the murder of captives, most political prisoners were believed to have been released, including well-known leaders of several of the guerrilla groups active in the country. Under the amnesty law a Commission for Peace was set up to conciliate between the government and guerrilla groups; ex-prisoners and former guerrillas became eligible for financial help to facilitate their re-entry into civilian society.

A continuing concern of Amnesty International was the fate of a number of Colombians presumed to have been detained in 1982 who remained unaccounted for. Most of these "disappeared" prisoners were students. Despite evidence that their detentions were carried out by plainclothes security officers, police and military representatives denied responsibility for the detentions.

Leonel Ulises Lopez, a 25-year-old student at the *Universidad del Valle*, was detained in the city of Cali on 9 January 1982 in an operation involving six unmarked vehicles and at least 15 heavily armed men in plain clothes. Witnesses saw him disabled by gunshot wounds in the leg and shoulder and then beaten before being forced into an unmarked Toyota jeep. Although he was reportedly taken to the Cali headquarters of the Third Army Brigade, his arrest was subsequently denied; repeated appeals for him to be brought before a court of law or released met no response.

Amnesty International appealed on behalf of eight young Colombians believed to have been abducted by units of the security services in 1982 whose whereabouts were unknown, and continued to seek clarification of their fate. In mid-1982 the relatives of some 75 "disappeared" people in Colombia, most of whom were believed to have been captured during 1982, formed a Committee of Relatives of the Disappeared. During a meeting with President Betancur in December 1982 their representatives were reportedly told of the appointment of a special investigator into the cases under the authority of the Attorney General.

During 1982 Amnesty International submitted information on Colombia to the United Nations Working Group on Enforced or Involuntary Disappearances.



Costa Rica

Amnesty International was concerned about approximately 40 people who had been held without trial on politically related charges, primarily that of illicit association, for longer than the law allows; some had been held without trial for two years by December 1982. Many of those arrested had reportedly not been involved in any illegal activities. Some had allegedly been detained solely because they were relatives of others already in custody.

In June Amnesty International expressed concern at reports that medical examinations of a group of detainees arrested in March found that at least two had bruises inflicted after arrest. The Minister of Justice promised an investigation. Following the inauguration in May of the newly elected government, the court inquiry concluded that although there was documented proof that two of the prisoners had been beaten, the contradictory nature of the prisoners' evidence made it difficult to continue proceedings against the 10 agents of the

Organismo de Investigacion Judicial (OIJ), Judicial Investigation Organ, accused of ill-treating the detainees. The case was closed.

Cuba

Amnesty International's main concerns were the continued detention of approximately 38 long-term political prisoners who had completed their sentences; the increase in judicial executions for allegedly political crimes; and prolonged detention without charge in the custody of the state security police of people suspected of political activities.

Since 1981 at least 38 political prisoners had completed their original sentences of 15 to 20 years but had not been released. In protest against their continued detention, 10 went on hunger-strike on 10 October 1982. In the past some prisoners have been given additional sentences by courts for "rebellious attitudes" in prison, for example refusing to wear prison uniform or to participate in rehabilitation programs. In these cases courts dealing with offences against the security of the state had ruled that the attitude of the prisoners required a *medida de seguridad postdelictiva* - a further renewable term of one or two years' imprisonment in a work camp. However, Amnesty International was not aware of any judicial procedure to extend the detention of the prisoners whose sentences expired in 1982. On 29 October Amnesty International expressed concern about the situation of these prisoners and about the health of those on hunger-strike. The hunger-strike ended in November when relatives were promised that the prisoners would be freed and allowed to leave the country, provided a foreign government would give them entry visas. Although the Governments of Costa Rica and Venezuela had offered visas for many of them, at the end of December they were still in detention and reportedly held incommunicado. Amnesty International appealed to the Government of Cuba on 22 December after receiving news that these prisoners were being held incommunicado and that one, Raul del Valle, was in a critical condition as a result of the hunger-strike. Raul del Valle had completed a 20-year sentence in November 1981 but was not released.

The retained prisoners belonged to a group of some 220 long-term political prisoners known as *plantados* because of their refusal to obey prison regulations in protest against being treated as ordinary criminals. In spite of the fact that their trials by revolutionary tribunals in the early 1960s did not always conform to internationally recognized

standards, their sentences have not been reviewed. Although none of the remaining *plantados* was adopted as a prisoner of conscience, Amnesty International appealed for their cases to be reviewed and remained concerned about allegations of frequent and prolonged suspension of visits from relatives and of correspondence. Most of these prisoners were held in the Combinado del Este prison in Havana and in the Boniato prison in Santiago de Cuba in eastern Cuba.

Armando Valladares Perez, an adopted prisoner of conscience, was released in October after serving almost 22 years of a 30-year sentence, following the personal intervention of the President of France. He confirmed the information gathered by Amnesty International, namely that no conclusive evidence had been presented against him during his trial and that for several of the later years of his imprisonment he had been paralysed. Intensive physiotherapy in the months before his release had restored his ability to walk. He also confirmed that his medical treatment had been withdrawn several times as a consequence of his books being published abroad and of his protests about his treatment.

Angel Cuadra Landrove, another prisoner of conscience adopted by Amnesty International, was released in April at the end of his 15-year term. By the end of 1982 he was still waiting for authorization to leave the country.

Amnesty International was investigating the cases of Elizardo Sanchez Santa Cruz, Luis Ruiz, Eladio Moreno Vilches, Edmigio Lopez Castillo, Nicolas Guillen Landrian, Orestes Bautista Gonzalez and Gustavo Arcos Bergnes to assess whether their detentions fell within the organization's mandate.

Reports continued to reach Amnesty International of the prolonged incommunicado detention of political suspects in "Villa Marista", the headquarters of the State Security Police. Carlos Alvarez, a US citizen of Cuban origin, went to Cuba to visit his family. He was arrested on 30 January and detained without charge in "Villa Marista" on suspicion of having links with anti-government exile groups in the USA. On 19 February Amnesty International appealed to the government to make known the charges against him and to allow him access to a lawyer and to his family. On 16 April he was unconditionally released and allowed to return to the USA.

Miguel Mariano Suarez, a Cuban-born naturalized citizen of the USA, was arrested in April 1982 while visiting his mother in Cuba. He was detained in "Villa Marista" until his release without charge in August 1982. On 29 July Amnesty International had appealed on his behalf. He later said that he had been forced to confess to spying.

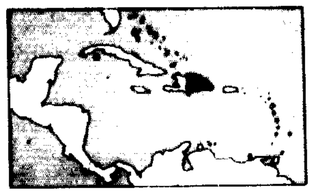
Long periods of incommunicado detention and intimidating

interrogations were reported by foreign nationals charged with illegal entry into Cuba. Amnesty International was concerned about reports of incommunicado detention for long periods, the lack of information given to families, and the use of threats and other intimidating methods to extract self-incriminatory statements.

Juan del Rio Vargas, Luis Felipe Santos and Felipe Hernandez Martinez were reported to have been arrested and sentenced to eight years' imprisonment for their religious activities as Jehovah's Witnesses. Few details were available but Felipe Hernandez Martinez was known to be held in Combinado del Este prison in November 1982. Jehovah's Witnesses have been banned in Cuba since 1975.

During 1982 Amnesty International learned of an increase in death sentences and executions. A former prisoner in a punishment cell in Combinado del Este prison reported to Amnesty International that in April 1981 there were 67 prisoners under sentence of death in that wing of the prison. According to the same prisoner by August 1981, 54 had been executed. Some were said to have been political prisoners. Among those executed were: Abilio Gonzalez, 28, and Rodolfo Alonso Roche, 21, reportedly for attempting to burn a bus; Emilio Reloba Cardulis, reportedly for burning down a sugar refining factory; three brothers named Garcia Marin, reportedly for taking hostages in an embassy, Raudel Rodriguez Rodriguez and Eduardo Delgado (see *Amnesty International Report 1981*), who had been sentenced to death in December 1980 for disarming and wounding a police officer, were not executed. Their sentences were apparently commuted by the Council of State which has the final authority to commute the death sentence. On 1 October 1982, 29 Cubans accused of the attempted assassination of President Fidel Castro were reportedly executed. Among them were Ramon Toledo, 40, and Armando Hernandez Gonzalez, 29. It was reported that they were executed in La Cabaña prison.

Amnesty International was also concerned at reports that 10 prisoners sentenced to death in 1959 in connection with crimes committed by the armed forces of former President Batista remained under sentence of death; their sentences had not been reviewed since 1959.



Dominican Republic

Amnesty International's main concern was the fear of forcible repatriation of Haitian refugees. Several cases of unacknowledged arrest or repatriation of Haitian refugees resident in the Dominican Republic had been reported to the organization between 1979 and 1981, and there was concern for a Haitian national who "disappeared" following his arrest in the Dominican Republic in June. Amnesty International also continued investigating the case of a Dominican national who "disappeared" in 1974.

On 16 August a new President, Salvador Jorge Blanco, took office. In November Amnesty International wrote to him to introduce the organization and its concerns. The letter called for an immediate inquiry into the case of Luis Samuel Roche, a Haitian national who had been living in the Dominican Republic since 1963 under the protection of the United Nations High Commissioner for Refugees. On 4 June Luis Samuel Roche was arrested, allegedly by Dominican national police. A petition of *habeas corpus* was presented on his behalf and the Santo Domingo Fifth Penal Chamber ruled that he would be released; nevertheless, he was not released. Amnesty International issued urgent appeals on his behalf since there were fears that he would be forcibly returned to Haiti where he risked imprisonment and possible ill-treatment because of his political activities in the Dominican Republic as an opponent of the government of President Jean-Claude Duvalier.

The organization raised also the case of Pablo Liberato Rodriguez under investigation by Amnesty International since 1974. Pablo Liberato "disappeared" following his arrest on 9 August 1974 in the town of San Francisco de Macoris. In early 1981 Amnesty International had been informed that the Attorney General's office would reopen an inquiry into the case. The responses received since then had been apparently contradictory. A letter received in December 1981 from Manuel Tavares, then Secretary of State for Foreign Affairs, stated that Pablo Liberato Rodriguez disappeared in 1974 from the police station in San Francisco de Macoris. A further letter from the subsecretary of the same department dated 30 December 1981 stated that he was not registered on lists as detained in that town during 1974. Amnesty International's information was that Pablo Liberato Rodriguez' family had been authorized to take food to him in the police station and that on 11 August 1974 they had been told that he had

escaped. Since then nothing had been heard of him. Amnesty International said that the responsible authorities should account for the fate of Pablo Liberato Rodriguez.

El Salvador

Amnesty International believed that all branches of the security forces, including paramilitary civilian defence groups under military control and newly trained counter-insurgency batallions, were involved in a systematic and widespread program of torture, abduction and individual and mass killings of men, women and children. The victims of government violence included people suspected of opposition to the authorities from all sectors of society. They also included residents in areas targeted for security operations whose killing or mutilation appeared to have been completely arbitrary. Amnesty International was also investigating the reasons for arrest of the several hundred political prisoners held in El Salvador, and their conditions of imprisonment.

These human rights violations occurred at a time of civil conflict and reports were received of violent crimes against individuals by opposition forces. In appeals to the government Amnesty International emphasized that even in time of war governments may not arbitrarily deprive people of life or torture them.

In March there were elections for a constituent assembly to replace the series of civilian-military *juntas* which had governed since 1979. The cabinet posts were subsequently shared between the major parties which had been permitted to participate. Roberto D'Aubuisson was named as the President of the Constituent Assembly. He was formerly a major in the National Guard who many sources, including the former US Ambassador to El Salvador, had linked to the "death squads" and to the unsolved murder of the Archbishop of San Salvador in March 1980.

In March 1982 Amnesty International published a report on human rights violations described by civilians interviewed by Amnesty International during a mission to refugee camps outside El Salvador. They told of decapitation and mutilation of unarmed civilians by the security forces and the machine-gunning of women and children from military helicopters. The report described the mounting violence since the October 1979 coup which overthrew the government of President Carlos Humberto Romero.

Amnesty International's report described instances of patients being abducted from hospital sickbeds by security agents and then killed or made to "disappear". One man told Amnesty International in August 1982 of being hidden under bedsheets by nurses when the military came to look for him at Rosales Hospital. He had been found by the side of a road in October 1981 with a bullet in his head, next to two dead bodies. In response to Amnesty International's inquiries at the time officials stated that they had interviewed the man in hospital, and that he had said he had mistaken the hour and been shot as a curfew violator. However, interviewed abroad later by an Amnesty International doctor, he stated that he had been abducted in the presence of witnesses from his home at 10 p.m., by heavily armed men in civilian clothes. After two electric shock torture sessions, he was taken blindfold and handcuffed at midnight from what he believed to be the headquarters of the *Policia de Hacienda*, Treasury Police, and was shot in the back of the head and left for dead.

Following the killings in disputed circumstances of four Dutch journalists in March, Amnesty International called on the Government of El Salvador to permit independent investigations into human rights violations directed at Salvadorian and foreign journalists. No response was received.

In June it was reported that during a combined military operation along the Salvadorian-Honduran border, peasants attempting to flee were killed as they tried to cross the Sumpul River into Honduras. Amnesty International had previously asked for investigations into similar incidents in 1980 and 1981. Once again, official sources reported that the victims were combatants who died in a clash between government and opposition forces, but soldiers from both armies as well as civilian eye-witnesses reported that the victims were not combatants and included women and children.

Amnesty International continued to receive reports that Salvadorian refugees, and Salvadorian and Honduran relief workers, were attacked and killed by Salvadorian military and paramilitary troops on Honduran soil or after being forcibly returned to El Salvador. The available information indicated that this sometimes happened with the tacit or overt complicity of Honduran military or paramilitary personnel.

People attempting to publicize such violations continued to be victimized. At least nine women working with the *Comite de Madres de Presos, Desaparecidos y Asesinados Politicos*, Committee of Mothers and Relatives of Political Prisoners, the Disappeared and Victims of Political Killings, were themselves reported to have "disappeared". In June a volunteer of the Green Cross, a Salvadorian humanitarian medical aid agency, was arrested on suspicion of providing supplies to guerrillas. He later told US Embassy officials

that he had been tortured in the custody of the National Police. The Commander of the unit responsible, Colonel Reynaldo Lopez Nuila of the National Police, was named in August to the new governmental human rights commission. He had personally defended his methods of arrest, including sending non uniformed agents on midnight raids without stating the charges or identifying themselves as police, as "necessary to surprise subversives", in an April 1982 interview with the *Washington Post*.

Patricia Cuellar, a US citizen, formerly with the church-linked *Socorro Juridico*, Legal Aid office (now called *Socorro Juridico Cristiano* Christian Legal Aid office), "disappeared" in July together with her father and his maid. Following US Embassy inquiries, the Salvadorian authorities denied that security forces were involved in her abduction. However, a petition of *habeas corpus* filed on her behalf stated that eye witnesses had seen her arrested by men in olive green uniform while security force personnel stood guard.

In August America Fernanda Perdomo of the non-governmental *Comision de Derechos Humanos de El Salvador* (CDHES), the Salvadorian Human Rights Commission, was arrested in San Salvador along with Saul Villalta of the *Frente Democratico Revolucionario* (FDR), Democratic Revolutionary Front, a coalition of opposition parties formed in April 1980, and Maria Adela Cornejo of the *Comite de Madres* and her 13-year-old daughter Ana Yanira. They were reportedly held at the headquarters of the Treasury Police in San Salvador, although their arrests were not acknowledged.

Politicians were also a target of human rights violations throughout 1982. In October Amnesty International approached Christian Democrat parties and other political groups and politicians throughout the world, asking them to press for investigations into the cases of 13 Salvadorian Christian Democrat leaders who had been shot and killed since the March elections. The Salvadorian Christian Democrat Party said that the official security forces, aided by clandestine paramilitary civilian defence squads, were using violence against Christian Democrat elected representatives and activists in reprisal after disagreements which occurred during the elections and to settle personal scores.

In October Amnesty International appealed for information on the whereabouts of 12 political and trade union leaders arrested on 18 October along with a number of others. Several were later acknowledged to be in detention. An armed forces news release accused the acknowledged detainees of "generating chaos" and "seeking dialogue and negotiations as a strategic manoeuvre". Some of them had been seeking negotiations between the military authorities and the armed opposition in an effort to end the civil strife. They were held under

Decree 507 of December 1980, which established military courts with jurisdiction over offences including crimes against security and the state. None had been tried by the end of 1982. Among them was Mauricio Domenech, a leader of a legal political party.

Amnesty International continued to follow the cases of a number of people interviewed in March 1981 by a foreign journalist at Santa Tecla prison, La Libertad department. They were among the few prisoners then known to have survived arrest by Salvadorian security forces. They told of being given electric shocks, beatings and hallucinogenic drugs since their arrests in 1980 and 1981. They were transferred in 1982 to La Esperanza prison in the department of San Salvador. Amnesty International continued to receive reports of torture from this prison.

In April 1982 Amnesty International appealed to the government for information on the health of Hector Bernabe Recinos and Antonio Morales Carbonell. Barnabe Recinos, a trade union leader, had been arrested in August 1980 after participating in a strike. Morales Carbonell, the son of Christian Democrat politician Dr Jose Morales Ehrlich, was arrested in June 1980. Both had reportedly been tortured by National Guard and Treasury Police personnel on 18 March 1982 when a combined force of units of these agencies forcibly entered the prison. Morales Carbonell was eventually transferred to a clinic for medical treatment and was subsequently released into exile. He testified to Amnesty International that he and others had been tortured in custody in El Salvador. Amnesty International's April appeal also requested information as to the whereabouts of Manuel Enrique Terrero Sanchez and Julio Talavera, who had been removed from La Esperanza prison to Treasury Police headquarters some months earlier, where they were reportedly tortured.

Amnesty International took up for investigation the cases of 48 women held at Ilopango prison where women political prisoners are detained. The organization was concerned at reports that the women had been arrested because they had expressed even the most minimal opposition to the government, because they were related to people opposed to the government, or because they belonged to groups, such as teachers and the young, which the government identified with the opposition and had therefore marked out for repression.

In all, Amnesty International knew of several hundred political prisoners, although still others might have been held in military installations or secret detention centres. During 1982 Amnesty International received testimonies from women prisoners who stated that before their transfer to Ilopango they had been held in military installations, and had been hidden by their jailors during visits by the International Committee of the Red Cross. Amnesty International

pressed for political prisoners to be brought to trial within the time limits established by Decree 507, an end to torture in the prisons, and protection to prevent detainees from "disappearing" from prisons.

Amnesty International was also concerned that prison conditions, particularly for the male prisoners, were said by eye witnesses to be cramped and the prison diet inadequate. Prisoners complained that their families were intimidated when they came for visits.

Amnesty International's concern at the possible impact of foreign military assistance on the human rights situation in El Salvador continued. Amnesty International had raised this issue previously with the United States Department of State. In January and July 1982 US President Ronald Reagan certified that "The Government of El Salvador is making concerted and significant effort to comply with internationally recognized human rights" and had "achieved substantial control over all elements of its own armed forces, so as to bring to an end the indiscriminate torture and murder of Salvadorian citizens". Amnesty International informed selected US policy makers of the organization's assessment that human rights violations continued on a massive scale. The conditions set by the US Congress for the continuation of US military assistance also required that El Salvador make serious efforts to investigate the murders and "disappearances" in El Salvador of several US citizens. However, cases involving US citizens, including Michael Kline, killed in disputed circumstances by security forces in October 1982, remained unresolved.

Amnesty International also approached the US Government about Salvadorians seeking political asylum in the USA, who faced possible danger to their lives if returned to El Salvador. Similar approaches were made during the year to the Governments of Mexico and Honduras, where Salvadorians faced forcible repatriation. Individual cases were also raised with the United Nations High Commissioner for Refugees.

In 1981 Amnesty International had written to the US Immigration and Naturalization Service (INS) to express its concern that the INS appeared to be pressing Salvadorians to opt for "voluntary return" to their country in spite of the danger. Amnesty International suggested that Salvadorians be accorded "extended voluntary departure" a concessionary status granted to nationals of a number of countries permitting them to remain in the USA until danger to their lives no longer existed in their country of origin. The INS response, received by Amnesty International on 5 February 1982, described the procedures followed in individual asylum applications, but did not address the issue of extended voluntary departure nor other general concerns raised in Amnesty International's letter.

Amnesty International submitted information on El Salvador to

regional and international organizations. In January and November 1982 the special rapporteur on El Salvador, appointed by the United Nations Commission on Human Rights, reported that the executive and judicial organs of the Republic of El Salvador had adopted a widespread attitude of "passivity and inactivity" with regard to violations of civil, political and human rights, most of which, he concluded, were perpetrated by members of the "state apparatus" and the "extreme right". In December the UN General Assembly expressed concern at the continued violations of human rights and called on El Salvador to ensure respect for human rights from all its agencies.

In both March and November Amnesty International submitted to the United Nations Educational, Scientific and Cultural Organization (UNESCO) approximately 60 cases of teachers and other education workers who had "disappeared" or been killed in El Salvador. In August Amnesty International received news of the detention of another 27 teachers, including the teachers' union leadership. Among the detainees was Walter Roberto Zuleta Osorio. In October the Salvadorian High Command summoned the Salvadorian Episcopal Conference to view a video tape in which Zuleta accused the Church of being involved in subversion. Responding to the accusations Monsignor Arturo Rivera y Damas concluded on October 10 that one "had to doubt the extrajudicial confession of a prisoner being held incommunicado in the jails of one of the security forces". Interviewed later by foreign investigators Zuleta told them that he had been tortured while held for 75 days by the Treasury Police. Amnesty International also submitted information to the UN Working Group on Enforced or Involuntary Disappearances.

In an open letter to the General Assembly of the Organization of American States in December, Amnesty International stated that extrajudicial executions were still being carried out routinely by all sections of El Salvador's security services, and that the practice appeared to be an established part of military and law enforcement policy.

Grenada

Amnesty International's major concern was the continued detention without charge or trial of suspected opponents of the government; Amnesty International was also concerned by the imposition of several death sentences.

Amnesty International continued to investigate the cases of 74 detainees held under People's Law No. 8. This provides for the preventive detention without charge or trial of persons suspected of endangering public safety. Their cases are periodically reviewed by the Minister of the Interior, a post held by the Prime Minister, Maurice Bishop.

On 15 November the government announced the release of 28 detainees, 16 of whose cases had been under investigation by Amnesty International. They included a number of people who had been held in preventive detention since the government came to power in March 1979.

Amnesty International received reports that further detainees were released in December. The government had not disclosed their names by the end of 1982, but Amnesty International learned that 19 were cases being investigated by the organization.

Amnesty International did not know how many people remained in preventive detention at the end of the year.

In August Amnesty International wrote to the Grenadian authorities expressing concern about reports that detainees in Richmond Hill Prison had been denied visits from their relatives for five months following an escape in December 1981. Religious services in the prison had also been stopped for five months. During the year Amnesty International wrote to the authorities expressing concern about reports that detainees were confined to their cells for 23 hours a day, and had few facilities for exercise or occupation.

In October an Amnesty International observer attended the trial of five people charged in connection with a bomb explosion which had killed three people at a government rally in June 1980. The five defendants were originally charged with murder, which carries a mandatory death sentence. However, the charges were changed, retroactively, to charges under the Terrorism (Prevention) Law, which was introduced by government decree in October 1980. This provides for terrorist offences to be tried by a judge without a jury and for a mandatory death penalty for causing death by explosives or acts of terrorism. Two of the defendants were found guilty of causing death by explosives and two of aiding and abetting the offence. All four were sentenced to death. The fifth defendant was acquitted but remained in preventive detention.

Three of the five defendants had signed confessions which they alleged had been extracted by ill treatment during interrogation by the People's Revolutionary Army (PRA). The judge ruled two of the three statements inadmissible on the grounds that they were not voluntary. The only other evidence against the accused was the testimony of two co-defendants who were granted a stay of prosecution in return for testifying for the prosecution. Their uncorroborated testimony was the only evidence on which three of the four defendants were convicted. Appeals were pending.

Guatemala

Amnesty International was concerned about widespread extrajudicial executions; "disappearances" after arrest often without warrant; and torture. The victims came from all sectors of society, including peasants and Indians, trade unionists, religious personnel, political leaders, journalists and members of the legal profession. They numbered many thousands in 1982. Successive governments in Guatemala have blamed clandestine paramilitary "death squads" for abuses or stated that the victims died in clashes between extremist groups of the left and the right which the authorities were unable to control. The authorities also claimed that some of the victims died in confrontations between official security forces and guerrilla groups. Amnesty International concluded on analysis of all available information that there were no independent "death squads" operating out of government control, and that official security units, sometimes operating in plain clothes, were responsible for the vast majority of such abuses. (See for example *Amnesty International Annual Report 1981* and *1982*.) The pattern of human rights violations observed in previous years continued during the first months of 1982.

In March a three-man *junta* assumed power in a nearly bloodless coup, rejecting the results of the elections held that month. The new government declared that it intended to ensure respect for human rights in Guatemala and to put a stop to the "death squads". It announced the formation of a new body to receive complaints and investigate past "disappearances". Some civilian officials who had

been involved in repression during the previous government were arrested. The *Cuerpo de Detectives*, Detective Corps (known as the *"judiciales"*, judicial police) of the National Police, cited over the years as responsible for many "disappearances" and killings, was declared disbanded.

In the immediate aftermath of the coup, "death squad" killings and abductions in the urban areas of Guatemala did appear to decrease, and the distinctive, unmarked cars of the *"judiciales"* vanished from the streets of the capital, Guatemala City. However, there was subsequently little indication of any efforts to investigate past "disappearances", and in April the National Police announced the formation of two new police bodies with many of the functions previously performed by the *"judiciales"*. "Disappearances" were once again reported from major urban centres and there were persistent reports of large-scale and increasing extrajudicial executions of non-combatant civilians in rural areas at the hands of military forces, assisted by civilian defence squads formed at government behest.

In June General Efrain Rios Montt, leading member of the new government, dissolved the *junta*, assumed sole control of the government as President and commander of the armed forces, and replaced the country's 324 elected mayors with his own appointees. Amnesty International wrote to General Efrain Rios Montt in June, welcoming his frequently expressed intention to ensure a return to respect for human rights, and suggesting a number of measures which might be helpful. Amnesty International noted that it would welcome the opportunity to discuss human rights issues with the government.

At the end of June a 30-day amnesty offered in some areas of the country by the authorities to its armed opponents expired, and General Rios Montt announced a state of siege. Under its provisions the armed forces became even less subject to legal and political constraints. They were empowered to arrest and hold suspects without charge and without right of *habeas corpus* and to break into homes and offices at night without warrant. Publication of any information about guerrilla activity was banned except for official versions from the President's Public Relations Office. All political activity was banned.

In July Amnesty International published a report entitled *Massive Extrajudicial Executions in Rural Areas under the Government of General Efrain Rios Montt*. It was based on an analysis of a wide range of evidence, including eye-witness testimony given directly to Amnesty International. Information was also made available to Amnesty International by Guatemalan and foreign journalists, by health, refugee, assistance and religious workers, working in or visiting both

Guatemala and Mexico, and by independent foreign missions of inquiry. A list of incidents reported to Amnesty International until the end of June 1982 in which over 2,000 people had been killed was appended. Amnesty International noted that it could not confirm the information in every instance and pointed out conflicting information received from government and other sources on some incidents. These reported abuses were occurring in a context of armed conflict, and opposition forces had reportedly executed hostages in their custody and killed individuals whom they accused of being involved in repression. However, Amnesty International concluded that since the March coup, the security services had continued to kill, unlawfully and deliberately, large numbers of rural non-combatants and people suspected of sympathy with violent or non-violent opposition groups.

The government never replied directly to the report or to Amnesty International's June letter to President Rios Montt. Instead it informed the Guatemalan and international news media that Amnesty International was engaged in a campaign of defamation against Guatemala.

In August Amnesty International wrote again to the authorities noting its concern at steps taken under the state of siege. Decree Law 46-82 extended the number of offences carrying the death penalty, established military tribunals to try people charged under the decree and severely restricted the legal safeguards for such defendants. No response was received. At dawn on Friday 17 September, in a cemetery, four prisoners convicted under this legislation were executed by firing-squad. The executions had been announced only 12 hours earlier when the men's families first learned of their relatives' whereabouts following their "disappearance" some time earlier. Any judicial proceedings had been held in secrecy. After widespread international protests at the executions, there were reports that the government were considering altering the procedures under Decree Law 46-82 to answer criticisms that the executed men had not had an adequate defence nor the right of appeal.

In August General Efrain Rios Montt announced by decree the formation of a Council of State to advise him on the legislative functions he had assumed following the March coup. The Council was to be formed of selected representatives of various sectors of society.

Following the issue of its July report Amnesty International continued to receive evidence from a wide variety of sources of the involvement of government forces in widespread killings of non-combatant civilians throughout 1982. In taped interviews with foreign journalists (carried out primarily in Chimaltenango in July and August, and in El Quiche in May and September), military commanders

and soldiers admitted that they had summarily executed villagers on mere suspicion of involvement with opposition forces, or simply because they lived in *aldeas* (hamlets) believed to have been sympathetic to the opposition. In further testimony recorded in El Quiche in September 1982, young conscripts described interrogation techniques used by the army to discover the whereabouts of the opposition forces. They told of using the garrotte, of hanging people from trees and houses by their necks, and of hacking off pieces of people's bodies with machetes during the interrogation and torture of people suspected of subversion.

Almost an entire village was eliminated at San Francisco, Nenton, Huehuetenango, in July. Priests in Mexico compiled the names of over 300 victims from the few survivors. Testimony from Guatemala, confirmed by evidence obtained in Mexico, told how the villagers were divided into groups of men, women, old people and children, and shot, hacked and bashed to death.

A number of foreign missions of inquiry investigated reports of killings in the department of Chimaltenango in October. The army had reportedly promised peasants who had fled into the hills following earlier military attacks that they could safely return to their homes. However, observer teams concluded that returning peasants who were suspected of having been involved in any way with opposition forces had been summarily executed.

Amnesty International continued throughout 1982 to inquire into the fate of people abducted in urban areas of Guatemala. Medical personnel and students and staff of the University of San Carlos (USAC) continued to be victimized. Pediatrician Dr Juan Jose Hurtado Vega was arrested on 24 June 1982. Initially, the government denied all knowledge of his whereabouts. On 4 July President Rios Montt, in the face of mounting international pressure, acknowledged that he was under arrest and was to be tried as a communist. On 29 July Dr Hurtado was released into exile abroad. In succeeding months Amnesty International was encouraged to learn that several other people who had "disappeared" were later released.

Other cases of "disappearances" and killings remained unresolved. Graciela Morales Herrera, for many years treasurer of the Faculty of Economics at USAC, was abducted with her three children on 11 September from her home in Guatemala City by men in plain clothes believed by relatives and sources at the university to be acting with the complicity of the government. A petition of ***habeas corpus*** was presented, but there was no official comment and the family remained missing.

Amnesty International continued to press for information on the whereabouts of the thousands of people who "disappeared" under

previous administrations, including 25 trade unionists from the *Central Nacional de Trabajadores* (CNT), the Guatemalan Workers Congress, who "disappeared" after being detained at their trade union headquarters in Guatemala City in June 1980. They remained missing and were adopted by Amnesty International as prisoners of conscience.

Amnesty International was concerned about foreign military assistance which could be used to carry out the human rights violations against which Amnesty International was working. The organization studied military aid being given or considered by a number of governments.

During 1982 Amnesty International learned on several occasions of the forcible repatriation by Mexican local authorities of Guatemalans who had gained refuge in southern Mexico. Reports were also received that individuals who had been forcibly returned had been subjected to human rights violations in Guatemala, including extrajudicial execution. Detailed accounts were received of the incursion into Mexican territory of Guatemalan military and paramilitary troops. They were reported to have killed Guatemalans on Mexican territory and to have abducted others back across the border where, according to witnesses in Mexico, they were summarily executed. Amnesty International appealed on several occasions to the Mexican authorities not to return refugees, and to investigate reports that refugees had been forcibly returned to their country of origin. Information about cases of forcible repatriation was submitted to the United Nations High Commissioner for Refugees.

Amnesty International followed the deliberations of regional and international bodies concerning the human rights situation in Guatemala. Information was submitted to the Inter-American Commission on Human Rights of the Organization of American States (OAS) and to United Nations agencies and offices. In September 1982 an OAS delegation was able to enter the country; the organization had been seeking a visit since October 1973. Submissions were made throughout the year by Amnesty International to the UN Working Group on Enforced and Involuntary Disappearances, which included Guatemala among the countries where it considered the practice of "disappearance" to be widespread. In March 1982 the UN Commission on Human Rights expressed its concern at the continuing deterioration in the human rights situation in Guatemala and resolved to appoint a special rapporteur to study it. In December the UN General Assembly noted reports of massive repression and displacement of indigenous peoples in Guatemala, and invited the Government of Guatemala and other parties concerned to cooperate with the special rapporteur.

Guyana

Amnesty International observers attended two political trials in 1982.

In February an Amnesty International observer attended the trial of Donald Rodney, who was charged with unlawful possession of an explosive device which killed his brother, Dr Walter Rodney, in June 1980. Amnesty International had earlier urged the government to allow an independent inquiry into the death of Dr Rodney, a leading member of the opposition Working People's Alliance, in view of the international concern which it had created (see *Amnesty International Report 1981* and *1982*).

Donald Rodney was tried before a magistrate, under special procedures allowing for criminal offences ordinarily heard by a jury to be tried summarily at the request of the prosecutor. He was charged under the National Security Act, 1962, which places the onus of proof on the accused in cases of possession of firearms or explosives. In a statement read to the court Donald Rodney alleged that a two-way radio, which he had handed to his brother and which had subsequently exploded, had been given to him by a former member of the Guyana Defence Force, and that neither he nor his brother knew that it contained an explosive device. The magistrate ruled that Donald Rodney had been in possession of an explosive device, and that he had not proved to the court that he had no knowledge of this. Donald Rodney was found guilty and sentenced to 18 months' imprisonment. In March he was released pending appeal. By the end of 1982 the magistrate had not yet delivered her written judgment in the case, and the appeal was still pending.

In November an Amnesty International observer attended the trial of Ivan Sookram, on a charge of treason. Ivan Sookram was originally charged with five others in June 1980. They were accused of having trained and armed a group with the intention of overthrowing the government. Of seven prosecution witnesses, six subsequently withdrew their testimony. The defendants had made statements to the police after their arrest, but they claimed at the preliminary inquiry that they had been ill-treated while detained incommunicado for a prolonged period in police custody.

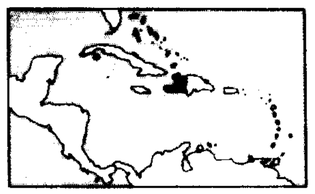
In 1981 a magistrate twice dismissed the charges on the grounds that the statements they had made in police custody had not been voluntary and that the testimony of the only remaining prosecution witness was unreliable. However, in August 1981 the Director of

Public Prosecutions ordered for a second time that the charges against four of the accused be reinstated and that a new preliminary inquiry be held (see *Amnesty International Report 1982*). Ivan Sookram was rearrested and arrest warrants were issued for the other three (who were still at large at the end of 1982).

In March 1982 Ivan Sookram was committed for trial by a new magistrate. At his trial he alleged that he had signed a confession after a prolonged period in police custody during which he was beaten, deprived of food and sleep, and denied access to his lawyer for several days. One of his defence lawyers testified that he had witnessed injuries on the accused while he was in police custody. The trial judge ruled the confession inadmissible. The prosecution offered no further evidence and Ivan Sookram was acquitted.

Amnesty International was concerned that the charges against Ivan Sookram had not been dropped despite the magistrate's rulings dismissing the charges in 1981 and the evident weakness of the prosecution's case. Ivan Sookram had spent nearly two and a half years in prison before his trial and acquittal.

In April the Human Rights Committee set up under the International Covenant on Civil and Political Rights considered the initial report of Guyana. The committee asked whether an investigation had been conducted into the death of Walter Rodney and, if so, what the findings had been. It also requested information regarding the procedures for investigating complaints by detainees, and on the circumstances and conditions in which a person could be held in preventive detention; it noted that the provision of the Guyana Constitution that any person who was arrested or detained should be informed "as soon as reasonably practicable" of the reasons for arrest and detention fell short of Article 9 (2) of the covenant.



Haiti

Amnesty International's concerns focused on the detention of prisoners of conscience, the continued detention without trial of some 20 political prisoners, allegations of ill-treatment of detainees, alleged "disappearances" and the application of the death penalty.

The 21 prisoners arrested in 1980 and adopted as prisoners of conscience by Amnesty International, who included several members of the ***Parti démocrate chrétien haïtien***, Haitian Christian Democrat Party, were retried in August 1982 following the quashing of their 15-

year sentences by the *Cour de cassation*, Appeals Court, on procedural grounds in February 1982. In the second trial, originally scheduled for July, they were sentenced to six years' imprisonment. An Amnesty International delegate visited Haiti in July to observe the trial. Although the trial was postponed until August he was able to meet members of the government and convey Amnesty International's belief that Sylvio Claude and others were prisoners of conscience who should be immediately and unconditionally released. He was also able to meet the defence lawyers, but not the defendants.

On 26 August Amnesty International asked President-for-Life Jean-Claude Duvalier for the release of these prisoners of conscience. On 22 September, the anniversary of the accession to power of the President's father, the government declared a pardon for these 21 prisoners and for three other adopted prisoners of conscience: Ulrich Desire, Gustave Colas and Emmanuel Noël. Sylvio Claude, his daughter Marie-France, and most of those pardoned, continued to be under close surveillance after their release. *Volontaires de la securite nationale* (VSN), the political police most commonly known as *tontons macoutes*, were reported to be on permanent guard at Sylvio Claude's door. Sylvio and Marie-France Claude were again detained on 28 December. Marie-France Claude was released the same day, but Sylvio Claude was held for two days. Amnesty International appealed to the government to stop the harassment of Sylvio Claude and the other former prisoners.

Robert Marc Thelusma, tried with Ulrich Desire, Gustave Colas and Emmanuel Noël and also adopted by Amnesty International as a prisoner of conscience, died in detention in April 1982. While he was in prison Amnesty International received reports that he had been severely beaten and otherwise ill-treated. Shortly before his death, it was reported that his own doctor was allowed to see him and had recommended an urgent operation. However, the authorities would not allow him to be admitted to a hospital and he was left for 15 days without treatment. One morning he was found dead in his cell.

At least 19 prisoners believed to have been detained for alleged political activities against the government were held without charge or trial at the end of 1982. Among these were Belmond Chouloute, held since February 1978, Frank Maitre and Eric Alcinder, held since August 1979, and Jacques Emmanuel and Harry René, reportedly arrested in March 1981 in the Dominican Republic and handed over to the Haitian authorities. Jacques Emmanuel and Harry René were both reported to be seriously ill. In July appeals were sent to the government expressing concern about their health and urging that they be released immediately unless charged and tried.

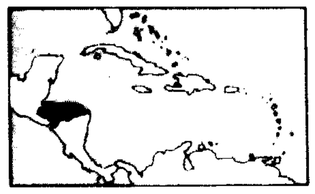
Amnesty International continued to be concerned about the fate of

Rock Charles Derose, who was reportedly arrested on 12 November 1981 and taken to the *Casernes Dessalines* (military barracks). His whereabouts since then were not known. The government denied that Rock Charles Derose (also known as Jerôme Jean) was detained, and there were fears for his safety.

On 28 December Gerard Duclerville, a lay preacher, was arrested one hour before he was due to present his regular program *Messe du Matin* on *Radio Cacique*. There were reports that he was being ill-treated. Amnesty International received reports that sectors of the church, particularly those involved in supporting prisoners and their families, had received an increasing number of threats. Several, in particular the church-owned radio station *Radio Soleil*, had spoken openly against the government's economic policies. In November 1982 it was reported that the Minister of Foreign Affairs and Religions, Jean Robert Estime, had formally warned six Roman Catholic priests that criticism of the government would no longer be tolerated. On 23 November 1982 the *Conference haitienne des religieux*, Haitian Religious Conference, sent a letter to its members saying that an increasing number of them had been called before the Ministry of Foreign Affairs and Religions and had been threatened, and that there was a campaign of intimidation against the church.

The courts continued to impose the death penalty, although Amnesty International did not learn of any executions. In September the organization learned that death sentences had been imposed on Rubens Brutus and Wilner Phaneus for murder, and on 13 September it appealed to President-for-Life Jean-Claude Duvalier to commute their sentences.

At the end of August the *Chambre legislative*, parliament, passed a law submitted by the government creating the *Commission nationale des droits de l'homme*, National Commission of Human Rights, to promote and protect human rights. All the members of the commission were nominated by the President in September. According to its statutes, the commission would receive complaints about human rights violations in Haiti from other states, private individuals and from national and international institutions. It would then make recommendations to the government who would be free to accept or reject them. Apart from the publication of its internal regulations, Amnesty International was not aware of any activity by the commission during 1982.



Honduras

Amnesty International's concerns in Honduras included repeated and increasing reports of arbitrary arrest and detention, torture, "disappearances" and the extrajudicial execution of both Honduran and foreign citizens. The victims included students, teachers, trade unionists and peasant leaders. Regular security forces and newly proclaimed "death squads", allegedly operating in complicity with the government, were named as responsible. These abuses continued after the inauguration in February of the first civilian president in a decade.

The government formed several new anti-terrorist forces, including the *Tropas Especiales para Operaciones de Selva y Nocturnas* (TESON), Special Troops for Jungle and Night Operations. In May the Congress passed a new anti-terrorist law, Decree 33, (*Ley Antiterrorista*) which defined a large number of acts, such as damaging property or destroying documents, as subversive acts against the state. For example, under Decree 33 invasion of land was to be considered a terrorist act. During 1982 human rights of concern to Amnesty International were violated by TESON and other new security units acting under Decree 33.

Honduras has permitted the entry of many thousands of refugees, including Salvadorians, Guatemalans and Nicaraguans. However, there were reports of Salvadorian-Honduran combined troop action in which hundreds of Salvadorians were killed inside El Salvador as they tried to reach refuge in Honduras (see *El Salvador* entry).

During 1982 the Honduran Government and the United Nations High Commissioner for Refugees (UNHCR) cooperated to move Salvadorian refugees inland and away from the border. However, the UNHCR representatives were hindered on occasion by the Honduran security forces in their efforts to meet arriving refugees and assist them to safety in Honduras. Amnesty International continued to receive reports of Salvadorian refugees being harassed and abducted from camps and settlements inside Honduras by Salvadorian military and paramilitary forces, acting on some occasions with the apparent cooperation or complicity of their Honduran counterparts. On 2 March 1982 seven bodies were discovered near the hamlet of Guajiniquil by other refugees. They were later found to have been refugees who resisted relocation inland, to Mesa Grande, San Marcos de Ocotepeque, Honduras. They had decided to return to El Salvador, but were reportedly killed by Honduran soldiers and Salvadorian National Guards.

Amnesty International appealed for information concerning a group of Salvadorians, including opposition leader Archimedes Antonio Cañada Rodríguez and two children, arrested in the Honduran capital Tegucigalpa in August 1982 by the security unit known as the "Cobras", the *Cuerpo de Policía Anti Subversivo*, Anti Subversive Police Corps. The detainees were reportedly handed over to another branch of the Honduran security forces, the *Fuerzas de Seguridad Publica* (FUSEP), Public Security Forces. In September a guerrilla group seized hostages in the Chamber of Commerce in San Pedro Sula. Their demands included the repeal of the new anti-terrorist law, the withdrawal of US military advisors and the release of some 70 Honduran and foreign political prisoners including Cañada Rodríguez. In response, the Honduran and Salvadorian authorities reportedly acknowledged that some Salvadorians, of whom only Cañada Rodríguez was named, had been returned to El Salvador where they were in custody. Throughout the affair the Honduran Government continued to deny that it was holding anyone for political reasons, and the detention of Cañada Rodríguez in El Salvador was not verified. On a number of other occasions the Honduran Government released Salvadorian political prisoners in response to guerrilla demands, after having initially denied that they were in detention.

The fate of two other groups of foreign nationals, many of them Salvadorian, who "disappeared" in Tegucigalpa in 1981 remained unclarified despite renewed appeals during 1982 for information. In both cases eye-witnesses interviewed by Amnesty International confirmed the arrest of the detainees, and in both cases children who were among the detained were later placed in the care of others by officials.

During 1982 Amnesty International appealed on behalf of other foreign nationals, some living in Honduras, others merely travelling through, who had "disappeared". In the cases of several "disappeared" Costa Ricans and Nicaraguans documents were available showing the exit of the missing people from countries adjacent to Honduras. However, Honduran officials continued to deny that they had entered Honduras, even in cases where witnesses attested to having seen the missing people in Tegucigalpa, or to having spoken to them in custody in Honduras.

In March Salvadorian-born US resident Ramon Cardona was arrested by Honduran immigration police while in transit in Toncontun airport in Tegucigalpa. He was apparently arrested on the basis of his possession of publications including the British magazine *The Economist* which showed Salvadorian guardsmen on its cover. Ramon Cardona testified that while in custody he had been threatened with being turned over to the Salvadorian authorities and warned that

he would be tortured in such a way that no marks would be left. He told of being confined in a small wooden box in which he was unable to stand, and of the use of electric shocks during interrogation. Ramon Cardona was released after some 72 hours in detention in a secret jail just minutes before a delegation from the USA arrived in Honduras on his behalf.

Honduran and foreign workers assisting Salvadorian and Guatemalan refugees suffered human rights violations during 1982. A foreign mission of inquiry happened to visit the town of El Amatillo on the same day in January 1982 that Honduran soldiers had entered. The mission reported that it had interviewed witnesses who said that the soldiers had ill-treated three *campesinos* (peasants) including beating them with rifle butts. One of the peasants, Goyo Reyes, was taken to the military barracks at La Virtud where he was beaten on the back with a machete and accused of aiding the guerrillas with food. Goyo Reyes was a member of the local committee of the international Catholic relief agency CARITAS that aids Salvadorian refugees with food and medicine. Photographs taken on 7 January 1982, the day of his release, show wounds and bruises on his back consistent with his allegations.

On 12 March Marcario Ramirez Rodriguez, another CARITAS worker, presented himself at the military barracks at the border refugee camp of La Virtud on the orders of the commanding officer. Two priests who went that evening to inquire about him were told he was in detention. Later, between two and three am, he was seen being taken by soldiers to the village of La Cuesta. Amnesty International appealed for information as to his whereabouts, but there was no further news of him. At the time of his arrest there was a great deal of military activity around La Virtud, involving both Honduran and Salvadorian troops. On the day that Ramirez "disappeared" Salvadorian refugee Vicente Alfaro was reportedly detained in the same area by Honduran soldiers, savagely beaten and tortured in the presence of witnesses, then thrown into the Mocal river.

In June Amnesty International appealed for information concerning the whereabouts of Dr Oscar Giron, a Guatemalan doctor who was visiting Honduras in connection with refugee work. He was detained on 9 June 1982 by four uniformed Honduran soldiers and two armed civilians in the El Tesoro refugee camp for Guatemalans, near Copan. Also arrested was a nurse from the USA. In testimony made available to Amnesty International after her release several days later, the nurse stated that she had heard Dr Giron moaning as he was beaten by his abductors. She told how they were both forced to go down into a ravine where Dr Girón's body was discovered on 6 July. The witness believed that the men who abducted Dr Girón and herself belonged to

a small Honduran army detachment patrolling the northern border. During the days she spent in custody in San Pedro Sula, she several times overheard reference to the 12th Batallion of Santa Rosa de Copan.

On 26 July four more people working with refugees, in this case Salvadorians, "disappeared" in Tegucigalpa. One had allegedly been threatened earlier by a member of the security unit *Direccion Nacional de Investigaciones* (DIN), National Directorate of Investigations. It was subsequently reported that all four had been tortured in custody. The DIN was also cited as responsible for the death of a young Nicaraguan, Lilian Soto Ulloa, in April 1982. She was pregnant and reportedly aborted under torture. DIN agents then allegedly threw her into the street; she died some hours later in hospital.

Honduran students, teachers, trade unionists and peasant leaders were also arbitrarily arrested, tortured, abducted or killed during the year. Amnesty International appealed on behalf of six students arrested by the DIN on 27 April in Tegucigalpa at the home of the then Deputy Prosecutor of the Republic. Despite the fact that the Deputy Prosecutor witnessed the arrest, the DIN initially denied their detention. In early May Amnesty International learned that four of the six had been released, but that the remaining two were reportedly being tortured. No further news of these cases was received.

In July at least 12 teachers' union leaders were reportedly arrested following a demonstration protesting against Honduran army involvement in El Salvador, and the authorities' apparent tolerance towards armed opponents of the Nicaraguan Government operating from Honduran territory. Also in July 160 peasants were arrested under the new anti-terrorist law for having occupied land in the department of Copan. There were unverified reports that the peasants were subsequently released. Throughout 1982 peasant leaders were arrested. Jose Maria Gomez, a leader of the *Union Nacionale de Campesinos Autenticos de Honduras* (UNCAH), National Union of Authentic Peasants of Honduras, was reportedly abducted by DIN agents on or about 18 August 1982. In response to appeals on his behalf the authorities denied that he was in custody but sources within Honduras reported that he was being tortured at DIN headquarters in San Pedro Sula. Amnesty International appealed in August on behalf of several students and trade union leaders who, according to a wide variety of sources, had been detained that month by the security forces. They included Felix Martinez, Roberto Fino, Eduardo Becerra Lanza and Hernán Perez Alemán. Felix Martinez' body was found dressed as a guerrilla in a secret shallow grave on 29 August 1982. His teeth had been bashed out, and his body had been beaten and bore stab wounds.

The body of Roberto Fino was also found in August, in the town of Goascaran, in the department of Valle, along with that of psychology student Reynaldo Diaz Flores, also arrested by the DIN in August. Sources in Honduras reported that Becerra Lanza had been seen in custody having convulsions and close to death by another detainee who was later released. There was no further news of the fate of Perez Aleman.

Ramon Custodio, journalist and President of the *Comite Para la Defensa de los Derechos Humanos en Honduras*, Committee for the Defence of Human Rights in Honduras, was arrested for eight hours on 12 August, shortly after he had written two articles in the newspaper *Tiempo* publicizing a series of human rights violations by the military.

During 1982 Amnesty International submitted a number of cases to the United Nations Working Group on Enforced and Involuntary Disappearances. At the 12th Regular Session of the General Assembly of the Organization of American States, Amnesty International reiterated its concerns in Honduras including the increasing number of political prisoners who "disappeared" during 1981 and 1982 and the human rights abuses to which Salvadorian refugees were subjected.

Jamaica

Amnesty International's major concern was an increase in executions. Ten people were hanged during the year, bringing to 14 the number of people executed since 1980.

Amnesty International issued urgent appeals for clemency for seven people who were hanged in September, all of whom had been under sentence of death for some six years. They had been convicted of murder between March 1975 and November 1976, but all executions were suspended from April 1976 until 1979, while parliament considered the abolition of the death penalty. On 30 January 1979 the House of Representatives voted 23 to 20 for retention, with a recommendation that all existing death sentences be reviewed. No reprieves were granted in the above cases, however, and dates for execution were set for May and June 1979.

Five of the condemned men sought a ruling from the Judicial Committee of the Privy Council in London (which serves as the final appeal court for Jamaica) that executions after such a long delay would be "inhuman and degrading punishment" in violation of the Jamaica Constitution. The appeal was dismissed in a judgment given

on 28 June 1982 by a majority of three to two. The majority opinion, although rejecting the appeals on technical grounds, stated that "long delay in the execution of a death sentence, especially delay for which the condemned man is himself in no way responsible, must be an important factor to be taken into account in deciding whether to exercise the prerogative of mercy."

Jamaican law provides a mandatory death sentence for murder. However, the Governor-General, in consultation with the Jamaica Privy Council, has the power to exercise clemency.

In addition to those executed in September, two prisoners were hanged in March 1982 and one in June 1982. Amnesty International had appealed for clemency in all these cases.

A committee on Capital Punishment and Penal Reform, set up in 1979, submitted its report to the government in December 1981 but its findings had not been made public by the end of 1982. It is, however, known to have recommended that all death sentences imposed before 31 March 1981 be commuted. At the end of 1982, 103 prisoners were under sentence of death. Most were sentenced before March 1981, many of them during the period in which executions were suspended.

On 16 November Amnesty International wrote to Prime Minister Edward Seaga requesting a meeting. The government had not replied by the end of 1982.

Mexico

Amnesty International's main concerns in Mexico were prolonged incommunicado detention, convictions based on confessions reportedly extracted under torture, and "disappearances" of political detainees. Amnesty International was also concerned at reports of killings by the regular police and security units, as well as by paramilitary units linked to regular security services. Many of these abuses were directed at urban slum dwellers or peasants involved in land disputes with government agencies or with groups receiving either explicit or tacit government support. Deaths in custody as a result of torture and the killing or "disappearance" of former prisoners shortly after release were other long-standing Amnesty International concerns.

The Mexican organization *Comite Nacional Pro-Defensa de Presos, Perseguidos, Desaparecidos y Exiliados Politicos* (CNPDPPDEP), the National Committee for the Defence of Prisoners, the Persecuted, Disappeared Persons and Political Exiles, estimated that some 500 people remained missing after arrest in recent years. The committee stated that at least some of the "disappeared" were held at the *Campo Militar Numero 1*, Military Camp No. 1, on the outskirts of Mexico City. This is the headquarters of the so-called *Brigada Blanca*, White Brigade (also referred to as the *Brigada Jaguar*, Jaguar Brigade), understood by Amnesty International to be in fact the ninth army brigade. Despite international concern about the fate of the "disappeared", officials did not investigate allegations against the *Brigada Blanca*, and repeatedly stated that many of the missing died in clashes between leftist factions.

One person believed by Amnesty International to have been held at the camp was Jose Ezequiel Reyes Carillo, reportedly abducted on 31 December 1981 from the Red Cross hospital in Polanco, Mexico City, by agents of the *Direccion Federal de Seguridad* (DFS), Federal Directorate of Security, and the *Departamento de Investigacion de Prevencion de la Delincuencia* (DIPD), Investigation Department for the Prevention of Delinquency. According to the police he had been wounded during an attempted robbery the previous day when they mistook him for a robber. Relatives, however, insisted that he was shot and then abducted because of his leadership of the supporters of the *Coordinadora Nacional de Trabajadores de la Educacion* (CNTE), National Coordinator of Education Workers, in the Valle de Mexico. The CNTE was attempting to form a teachers' union outside the control of the party which has ruled Mexico since its 1917 revolution, the *Partido Revolucionario Institucional* (PRI), Institutional Revolutionary Party. In June Amnesty International learned that the *Procuraduria de Justicia de Distrito Federal*, the Attorney General's Office of the Federal District, had issued a statement that Reyes Carillo had been found alive, 136 days after his arrest, outside Mexico City by the *Policia Judicial*, Judicial Police, together with other local security forces. However, Amnesty International received no information as to how he came to be there or where he had been while he was missing. The court investigating his shooting informed the District Prosecutor that there were no charges against him.

In June Amnesty International called on the authorities to acknowledge the detention of student Fernando Javier Chong and to guarantee his safety. He had been arrested in the presence of witnesses on 13 May 1982 by three men in plain clothes near a teachers' training college in Mexico City. (He had been arrested before in

November 1981 together with Rubén Hernandez, a student at the same college. On that occasion Chong was released after three hours, but Ruben Hernandez remained missing.) A petition of *amparo* (similar to *habeas corpus*) was filed on Chong's behalf after this latest arrest and, on 22 June, sworn statements of witnesses to the arrest were filed with the *Procurador General*, the Attorney General. The authorities failed to respond and Chong remained missing. On 27 August Amnesty International again addressed the authorities about his case and those of a number of other students who had "disappeared" in recent years. The mother of one, Marco Antonio Arana Murillo, who "disappeared" after his arrest in May 1981, declared that her son had been arrested for having participated in a student demonstration, and that other students who had been abducted along with her son and subsequently released had testified that they had been held by the *Brigada Jaguar*.

Throughout 1982 Amnesty International continued its appeals for information concerning the hundreds of other people who had "disappeared" in previous years. Among them was Roque Reyes Garcia, who had been a political prisoner in the period between 1971 and 1977. Released under a political amnesty Reyes Garcia was warned not to get involved in political activity. However, he continued his work as a trade unionist with the *Sindicato de Trabajadores de la Universidad Nacional Autonoma de Mexico* (STUNAM), Union of Workers of the National Autonomous University of Mexico. Relatives stated that on 11 September 1981 he was violently abducted by police officers. After searching for him in all public prisons, his relatives said they had concluded that he was held in secret detention. Repeated appeals on his behalf by Amnesty International, his own family and the CNPDPPDEP received no reply.

Rosario Ibarra de Piedra, the head of the CNPDPPDEP and a candidate in the 1982 presidential elections, received a series of death threats in response to her campaign to locate the "disappeared". On 22 April Amnesty International appealed to the President to guarantee her safety.

On 31 July over 3,000 students from the *Universidad Autonoma de Guerrero*, Autonomous University of Guerrero, marched in Chilpancingo calling on the authorities for a full investigation into the death of teacher Leon Castillo Garcia, who was found dead with marks of torture on 26 July. Officials at the university stated that the security forces had been responsible. Similar abuses directed against teachers, staff working to form teachers' unions, and campaigners for wider access to university education were reported from the state of Sinaloa. In September Amnesty International asked for an investigation

into the death of Sinaloa university professor Alberto Barrionuevo Carvajal, whose body had been found in August, 14 days after he had "disappeared". Students and staff at the university as well as other education officials blamed the police for his killing. They said the police had recently harassed and attacked staff who were active in independent teachers' organizations or who had openly criticized government economic policy.

Bernardo Pastor Garcia, a former political prisoner released under an amnesty by the State Governor of Guerrero in 1976, was detained during a demonstration in early August 1982 at Acapulco, Guerrero, by the Judicial Police, along with his father Agapito Pastor Jimenez. The two were taken to Tecpan as suspected "subversives" and held in the local jail. Shortly afterwards Pastor Garcia was found dead in jail showing visible marks of torture. His father was freed. To Amnesty International's knowledge, Pastor Garcia's death was never officially explained.

Amnesty International was concerned during 1982 by reports of killings of urban slum dwellers or rural *campesinos* (peasants), allegedly at the hands of regular police and military forces. Many such killings occurred in the context of conflicts over land ownership between peasant farmers and large landowners. According to these reports, peasant leaders and peasants trying to retain disputed land were deliberately killed by *"pistoleros"* (gunmen) acting on behalf of large landowners with the implicit or overt support of local military commanders and local, state or federal authorities. On some occasions military personnel themselves had deliberately killed non-violent *campesinos* during such land disputes. Other reports indicated that allegations of forcible land occupations by peasants had been fabricated to justify attacks on peasant leaders and organizations developing peasant movements outside the control of the ruling party.

In March Amnesty International appealed for information on the whereabouts of Santos Hernández Garcia. He had been arrested in December 1981 by soldiers and the Judicial Police searching the village of Lázaro Cárdenas, Chalma, Veracruz, looking for the community leaders and for two peasants who had been imprisoned earlier but then granted amnesty at the beginning of 1981. Santos Hernandez Garcia was reportedly wounded at the time of his arrest.

In August Amnesty International appealed for information concerning the arrests on 7 July by the State Judicial Police of four Tzeltal Indians from San Sebastian Bachajon, Chilon municipality, in the state of Chiapas. The arrests were denounced by the *Coordinadora Nacional de Pueblos Indigenas* (CNPI), National Coordinator of Indigenous Peoples, which stated that they had been based solely on false denunciations by a government-supported peasants' group. The

CNPI said that there were arrest orders pending for 50 more Tzeltals, again stemming solely from invented charges. Amnesty International was concerned that these prisoners might be ill-treated in custody, and urged adherence to correct legal procedures. Indians in remote rural areas such as Chiapas have proved particularly vulnerable to abuses and procedural irregularities in custody.

Amnesty International called in August for investigations into reports that the army and state police had been responsible for the killings and "disappearances" of a number of Triqui Indians, from the San Juan Copala area, Oaxaca. The community was involved in a dispute over lands which it claimed had been its communal property since before the Spanish conquest. It accused the state security forces and the army of acting on behalf of forestry and coffee companies which were claiming the lands. One of the missing Indians was Juan Martinez Lopez, who "disappeared" at the end of November 1981 as he was returning from talks with the Minister of the Interior in Oaxaca's capital city, Oaxaca.

Amnesty International adopted as prisoners of conscience Arturo Albores and Victorico Hernández and investigated the case of Agustin de la Torre. All three were arrested in connection with a land dispute involving the Tzotzil Indians of Venustiano Carranza, Chiapas. Arturo Albores worked in Venustiano Carranza with social service projects connected with the *Universidad Nacional Autonoma de Mexico* (UNAM), National Autonomous University of Mexico. He was arrested in May 1981 for participating in an incident when members of the government-sponsored peasants' union, the *Confederación Nacional Campesina* (CNC), National Peasant Confederation, allegedly attacked members of another peasant group which had been trying to organize the local people independently under the auspices of the *Coordinadora Nacional Plan de Ayala* (CNPA), National Coordinating Committee Plan of Ayala. Arturo Albores stated that he was in another town at the time of the incident, and Amnesty International believed that he was actually arrested because of his efforts on behalf of the Indians to regain disputed lands. Also arrested was Indian social worker and community leader Victorico Hernández. There were procedural irregularities and delays in the disposition of their cases and the two men stated that they had been ill-treated in custody. In February 1982 a meeting about the case was held between the governor of the state of Chiapas and representatives of the *Frente Nacional contra la Represion* (FNCR), National Front Against Repression (a coalition including lawyers and human rights groups whose work includes assisting political prisoners and the "disappeared") and the CNPA. It was while waiting for this meeting that Agustin de la Torre was arrested. In

a later meeting with the state Attorney General the FNCR-CNPA representatives were denied access to the trial documentation. On 4 December 1982 Arturo Albores was reported to have been released. There was no further news of the two others.

The total number of prisoners of conscience held in Mexico was difficult to establish as the government did not admit to holding political prisoners, and normally brought ordinary criminal charges against those arrested in connection with trade union or peasant activities. This difficulty was further compounded by the fact that many were thought to be held in unacknowledged detention in remote rural areas.

Amnesty International received reports that a number of Argentines arrested in Mexico City in connection with an alleged kidnapping attempt at the end of October 1981 had been released. Some had reportedly been tortured in custody. Amnesty International had appealed to the Mexican authorities not to return the detainees to Argentina, where it believed their lives would be in danger.

Mexico is not a party to United Nations instruments for the protection of refugees, but has permitted the entrance of many thousands of Central American refugees, particularly those fleeing Guatemala. During 1982 Amnesty International appealed to the Mexican authorities to clarify the whereabouts and legal situation of a number of Guatemalan and Salvadorian refugees who were reported to have been sent back to their country of origin, where Amnesty International believed their lives to be in danger. During 1981 Amnesty International had expressed concern at reports of mass expulsions of Guatemalan refugees. In February 1982 Amnesty International reiterated its concern at such reports, noting that in at least one case known to Amnesty International an expelled refugee had reportedly been killed in Guatemala. In November 1982 Amnesty International cabled outgoing Mexican President Jose Lopez Portillo to express its concern at reports that Guatemalan refugees had been dispersed from two refugee camps, Rancho Tejas and Dolores, and urged the government not to send the refugees back to Guatemala. Amnesty International was also concerned in 1982 at reported incursions into Mexico of Guatemalan military and paramilitary forces, who killed and abducted Guatemalan refugees who had sought asylum there.

During 1982 Amnesty International submitted cases to the United Nations Working Group on Enforced and Involuntary Disappearances, which named Mexico as one of the countries where it was concerned at the phenomenon of political "disappearances".

Nicaragua

Amnesty International's concerns included the detention of prisoners of conscience, generally for short periods; the application of a far reaching public order law; continued denial of appeals to prisoners sentenced by Special Tribunals for crimes under the previous government; and allegations that prisoners detained in the Atlantic Coast area, primarily Miskito and Sumo Indians, were held in isolation and beaten.

Amnesty International adopted as prisoners of conscience four leaders of business organizations given three-year sentences under the Law for the Maintenance of Public Order and Security – the public order law – for having published statements considered "damaging to the economy", and four leaders of the Communist Party affiliated *Central de Accion y Unidad Sindical* (CAUS), Organization for Trade Union Action and Unity, sentenced to seven months to three years' detention for having incited strike action and factory occupations banned under a State of Economic and Social Emergency then in force. The eight were detained on 21 October 1981; all were provisionally released in February and March 1982 and later pardoned by the Council of State.

Many members of labour federations in conflict with government policies were arrested and questioned although few were charged and tried. By the end of 1982 an estimated 200 members of the *Central de Trabajadores de Nicaragua* (CTN), Nicaraguan Workers' Centre, a Christian Democratic federation, had been detained for questioning during the previous 18 months, although none were believed to have been held for more than a few days. Some CTN leaders – such as Juan Rafael Suazo, president of the union of workers at Managua cooking oil factories – were detained on several occasions, and each time released without charge after several days.

Amnesty International was investigating the cases of several leaders of the *Partido Social Cristiano* (PSC), Social Christian Party, a Christian Democratic party, who were detained for alleged "counter-revolutionary" activities under the public order law. Julio Ramon Montes, President of the department of Leon branch of the PSC, was detained on 15 May 1982 and sentenced to two years' imprisonment; he had been detained twice under the present government and released without trial after short periods. Francisco Rodriguez, head of the party's youth organization, was detained on 2 June, and Feliciano Polanco, President of the Esquipulas branch in Matagalpa department, was detained on 14 June and accused of "counter-

revolutionary activities". Amnesty International was concerned that their arrests might relate solely to their lawful political party activity.

On 15 March 1982 a state of emergency was declared which suspended those civil rights which under international law may be temporarily restricted. The government attributed the measure, which replaced a September 1981 State of Economic and Social Emergency, to a rash of armed attacks in the Nicaraguan-Honduran border area. On 19 March Amnesty International cabled the government to express concern at the declaration of the state of emergency, and to urge that the remedy of *habeas corpus* remain applicable, and that international standards on human rights be respected. However, recourse to *habeas corpus* became unavailable and prisoners were regularly held for 10 or more days in incommunicado detention before being charged or released.

Amnesty International in October 1982 expressed concern at the threat posed by incommunicado detention to the health of prisoner Mario Ramirez, shortly after he underwent brain surgery. He was detained on 27 September and held incommunicado for over a week at the top-security El Chipote jail at the *Direccion General de Seguridad del Estado* – the security service's headquarters in Managua. Mario Ramirez was a former official of the state mining company CONDEMINA and was sentenced in January 1982 to two years' imprisonment for "counter-revolutionary" activities, reportedly because of leaflets from opposition parties found in his house during a search. Amnesty International was investigating his case.

In its 19 March cable Amnesty International expressed concern about 160 Miskito and Sumo Indians detained in the border area following a series of cross-border incursions from Honduras between October and December 1981. They were tried in Puerto Cabezas in January and February 1982. Amnesty International asked about the legal status of the prisoners and expressed concern at reports of prolonged incommunicado detention and summary trial proceedings.

Amnesty International subsequently confirmed that the prisoners were tried at Puerto Cabezas in six groups according to their place of origin, and were charged with crimes of violence by armed opposition groups in each locality. Eight Miskito Indians from the Bilwaskarma area on the Rio Coco were charged with involvement in an assault on a hospital there on 28 December 1981; with kidnapping two doctors and two nurses; and with the rape of a Miskito Indian doctor and a nurse who testified that they were forcibly taken across the river to Honduras. Thirty-nine were charged with involvement in the two-day occupation (20 and 21 December 1981) of the riverside town of San Carlos, some with the killing by torture and mutilation of seven members of a Nicaraguan army patrol captured during the occupation;

with the destruction of an army helicopter; and with the 14 December abduction to Honduras and murder of 12 San Carlos militia members. Of 160 prisoners initially detained at Puerto Cabezas in January and February 1982, 135 were convicted on public order law charges of involvement in violent opposition activities; five of these were given suspended sentences and released.

Although Amnesty International believed that some of the 135 prisoners had committed crimes of violence, many Miskito and Sumo Indians appeared to have been detained virtually at random, as if all Miskito residents were held to be jointly responsible for the violent actions that occurred in or near their small communities. Among these cases, Amnesty International was investigating that of Higinio Frank Lopez, a Sumo Indian born with one leg, who was detained in October 1981 in the La Tronquera region, near Waspan. He was believed to have been arrested solely for having criticized the government in a village meeting. Higinio Frank Lopez was sentenced to three years' imprisonment for "counter-revolutionary" activities.

A principal concern was that most of the prisoners had been detained incommunicado for 27 days before the trial began, in the custody of the security police at Puerto Cabezas. Charges of ill-treatment of some of these prisoners – including prolonged detention in isolation cells, beatings, and intimidation through threats of violence – were being investigated. Although Amnesty International could not confirm charges of ill-treatment, at the trials in February 1982 procedural irregularities might have obstructed examination of these complaints. Evidence for the prosecution was limited largely to declarations taken by *Seguridad del Estado*, security service, interrogators while prisoners were in incommunicado detention. The trial court accepted these without question as valid while the rights of the defence were limited. Three public defenders alone assisted the 135 defendants, and proceedings were conducted in Spanish, without satisfactory interpretation facilities, although some defendants spoke only the Miskito or Sumo languages.

When an appeals court in Bluefields, Zelaya, re-examined the 135 Puerto Cabezas cases, defendants were represented by private defence lawyers and accorded interpretation facilities. Almost all the sentences were drastically reduced or overturned: 28 prisoners were released and 46 received sentences of three years or less and became eligible for release through a form of parole. All the cases went before the Supreme Court of Justice in a final appeal, including 61 with sentences of over three years.

Following a series of cross-border incursions and violent incidents in Zelaya in late 1981 and related large-scale arrests, residents of most of the Miskito Indian settlements on the Rio Coco were forcibly

evacuated, without warning, from the border area. The evacuation, begun in the last days of December 1981, was part of government plans for the defence of the border area, and a response to the fear that anti-government forces might find assistance in the riverside communities. After the March 1982 declaration of a state of emergency, attacks by violent opposition groups continued in the northern Atlantic Coast region. Government counter-measures included widespread arrests among the Miskito and Sumo population, many of which appeared to have been indiscriminate and arbitrary. Amnesty International was investigating the cases of some 270 Miskito and Sumo Indians transferred to Managua's *Zona Franca* prison (formally termed the *Centro de Reclusion "Heroes y Martires de Nueva Guinea"*) to await trial before Managua criminal courts on public order charges. It was also investigating some allegations of ill-treatment of these and other prisoners by government forces.

The *Report of the Amnesty International Missions to the Republic of Nicaragua: August 1979, January 1980 and August 1980* was published in June 1982. It included Amnesty International's August 1981 memorandum to the Nicaraguan Government on the findings of the missions (see *Amnesty International Report 1981*), an extensive response from the government, and the text of a letter of 29 April in which Amnesty International communicated outstanding concerns to the government.

The report addressed the public order law, which it described as "in many ways resembling a law of exception", and the fairness of trials before Special Tribunals set up temporarily after the fall of the previous government. The report urged the review of cases, which were not subject to appeal since the disbanding of the Special Tribunals in early 1981. A total of 4,331 people were convicted of serious crimes by these courts, of whom an estimated 2,400 remained in detention at the end of 1982.

In August 1982 the government responded to Amnesty International's 29 April letter. It reiterated the point it had made previously on trials under the public order law, and the right to appeal against sentences of the Special Tribunals. It elaborated on the applicability of a Law of Pardon to these cases as a remedy for miscarriages of justice. Although this law was described as a means by which sentences in all security-related cases could be reviewed, Amnesty International knew of no sentences passed by the Special Tribunals having been altered after review under the Law of Pardon in 1982. Although Amnesty International did not identify any prisoners of conscience convicted by the Special Tribunals, it continued to urge an effective review to detect possible miscarriages of justice. On 27 October Amnesty International wrote to the government to express concern

about a group of 73 prisoners whose Special Tribunal sentences had elapsed. They had been retained in custody for up to two months after completion of their sentences on an apparently arbitrary basis under the state of emergency. All prisoners scheduled for release were, however, reported to be at liberty by the end of November.

Amnesty International was investigating the cases of seven possible prisoners of conscience, all charged with offences under the public order law.

Paraguay

Amnesty International's major concerns were arbitrary arrest, the use of state of siege legislation to detain political opponents for prolonged periods without trial, torture, and the forcible expulsion of detainees. Amnesty International was working on behalf of 11 prisoners of conscience at the end of 1982 and investigating a further 40 cases. Article 79 of the constitution, which allows for a state of siege, continued to be used as a basis for indefinite detention without trial. A state of siege had existed in Asuncion, the capital, almost continuously since General Alfredo Stroessner took power in 1954.

Ramon Santiago Moreno, a journalist with the independent newspaper *ABC Color*, was detained on 17 August in the town of Luque, in Central province, where the state of siege did not apply, and was transferred to Asuncion where he was held incommunicado without charge until his release on 24 December.

Urgent appeals were issued by Amnesty International on behalf of Hermes Rafael Saguier, who was detained on 5 September under state of siege legislation. A Paraguayan lawyer, he was living in Argentina where he lectured at the University of Buenos Aires. At the beginning of September he travelled to Paraguay to present a petition of *amparo* (similar to *habeas corpus*) on behalf of a group of 14 political exiles who wished to return to the country. Article 77 of the Paraguayan Constitution (1967) allows a petition of *amparo* to be presented when a person may have been illegally deprived of constitutional rights, and gives judges powers to protect constitutional rights and guarantees. The 14, who were members of Paraguayan opposition parties, had all been forced to leave Paraguay during the past 28 years owing to political persecution. The petition of *amparo* was rejected by

the court and the 14 were refused entry to the country. Hermes Rafael Saguier was held in incommunicado detention without trial until 14 October, when he was deported to Clorinda, an Argentinian town near the Paraguayan border.

Amnesty International was investigating the cases of 38 people arrested between January and March under Article 79 and accused of belonging to the pro-Chinese wing of the Paraguayan Communist Party. Most of those arrested were poor peasants and cultivators of sugar cane and cotton from the Eastern region of the country. Following the presentation of a petition of *amparo* on behalf of nine of the detainees in May, they were transferred from the *Guardia de Seguridad*, a military barracks, to regular prisons and charged under the anti-subversion Law 209, Defence of Public Peace and Liberty of Persons. The basis for the charges remained unclear. Independent sources mentioned other factors in connection with the arrests, such as the possible involvement of some of the accused in protests against a reduction in the price of cotton, and disputes over land tenure. The Paraguayan press publicized the case after a news conference on 15 March in the Police Department of Investigations. Police displayed a group of 30 of the prisoners whom they claimed had been held as a result of a police raid on three premises in the San Vicente, Panambireta and San Lorenzo districts of Asuncion.

The initial proceedings were conducted during June. The accused, who numbered 38, included eight people not presented during the press conference in March. Two of these, Roque Ruiz Díaz and María Margarita Baez Romero, were arrested in January and February respectively and held for four months in secret detention. At the beginning of June a request by Margarita Baez' lawyer for a medical examination for her and Cristina Estela González Bogado, a minor, was rejected by the judge. Reports were later received by Amnesty International that María Margarita Baez Romero was suffering persistent hallucinations and headaches and from disorders of the kidneys and genitals. There were fears that she had been tortured. The lawyer who presented the request, Dr Diego Bertolucci, who worked for the *Comité de Iglesias Para Ayudas de Emergencia*, Interchurch Committee for Emergency Relief, was later summoned to the office of the chief of the Police Department of Investigations, Pastor Coronel. There he was physically attacked and threatened with expulsion from the country if he persisted with his request. Amnesty International called for an investigation into the incident and appealed to the government to guarantee that defence lawyers be allowed to perform their professional duty without harassment or fear of reprisals. The organization also asked for guarantees for the safety of María Margarita Baez Romero and for all necessary medical treatment.

Amnesty International received other allegations of torture and ill-treatment of detainees. Hernando Damian Sevilla, an Argentine journalist arrested on 6 February 1981 and adopted as a prisoner of conscience by Amnesty International, was released on 30 September, having been held for more than one and a half years without charge or trial under Article 79. For the first two months he was held incommunicado without access to a lawyer in the Police Department of Investigations in Asuncion, where it is alleged that he was tortured. On 9 April 1981 he was transferred to the military barracks, *Guardia de Seguridad*, where he received medical attention but remained incommunicado. He did not receive regular weekly visits until June 1982. On 30 September he was taken to the airport and put on a plane to Sweden.

Amnesty International continued to receive disturbing reports about Modesto Napoleón Ortigoza, who had been serving a 25-year sentence since 1962, accused of murder. Modesto Napoleón Ortigoza's case had been under investigation by Amnesty International since 1974; Amnesty International had consistently maintained that there were irregularities in the trial proceedings in this case and that the facts had never been clarified. For several years, reports had reached Amnesty International from a number of reliable sources indicating that Modesto Napoleón Ortigoza was experiencing severe mental disturbance and had tried to commit suicide several times. He was being held incommunicado in a small cell in the military barracks of the *Guardia de Seguridad* in Asuncion. In October Amnesty International issued an urgent medical appeal on his behalf, having received reports that he had been severely beaten by prison guards and was being subjected to constant harassment and provocation. Amnesty International believed that he was not receiving appropriate medical treatment and asked for an immediate visit by an independent psychiatrist and medical help, including removal to a suitable hospital if necessary.

On 8 May María Saturnina Almada de Silva, a prisoner of conscience adopted by Amnesty International, completed her three-year sentence under the anti-subversion Law 209. She was taken from prison on 17 May and held for a further three days in incommunicado detention in the Police Department of Investigations. On 19 May she was taken by the police to the Brazilian town of Foz de Iguazu near the Paraguayan border where she was left with only the clothing she was wearing. Her husband, Alfonso Silva Quintana, had a further year and 10 months' sentence to serve. Both had previously spent 10 years in detention without trial between 1968 and 1978. María Saturnina Almada de Silva later went into exile in Europe.

Amnesty International issued urgent appeals after the deportation

of opposition politician and author Dr Domingo Laino to Argentina on 13 December. It was believed that the arrest and deportation were in connection with the imminent publication of his book about the deposed president of Nicaragua, Anastasio Somoza Debayle, which included reference to his assassination in Asuncion in September 1980. Police alleged that the book amounted to a justification of a criminal act, an offence under anti-subversion Law 209. Domingo Laino was an outspoken critic of the Paraguayan Government and had been detained frequently in the past. Amnesty International feared for his safety in Argentina. In August 1980 two senior members of the Paraguayan Communist Party, Antonio Maidana Campos and Emilio Roa Espinoza, were abducted in Buenos Aires by agents believed to belong to the Argentinian security forces. By the end of the year there had been no further information about their fate or whereabouts. Both men were adopted by Amnesty International as prisoners of conscience.

At the General Assembly of the Organization of American States held in Washington in November, the Inter-American Commission on Human Rights reported on human rights violations in Paraguay in its annual report. The organization referred to arbitrary detentions under the state of siege, the lack of measures to permit the return of exiles, and the expulsion of Paraguayan citizens. It asked the government to set a date for a visit by the commission which had been agreed in principle in 1977.

Peru

Amnesty International's concerns included the arbitrary detention of prisoners of conscience, most of them leaders of peasant organizations and communities; consistent reports of torture; poor prison conditions; and several deliberate killings of prisoners by security personnel. Amnesty International was working on behalf of 37 adopted or possible prisoners of conscience.

Most actual or possible prisoners of conscience were detained under Decree 046, a March 1981 law which defines and punishes a broad range of crimes as terrorism. Decree 046 provided a basis for widespread arrests in the Andean highlands, where the guerrilla group *Sendero Luminoso*, Shining Path, was active, and in major coastal cities. The charge of terrorism was applied not only to individuals who might have been involved in guerrilla violence, but also to non-violent

leaders of lawful opposition parties, trade unions, and peasant groups and organizations. Although no known prisoners of conscience were convicted of terrorism, some adopted prisoners were held for over 18 months before courts determined that they had been wrongly charged. Isidro Quiroz, a barber, local leader of an affiliate of the *Izquierda Unida*, United Left, opposition coalition and a city councillor in the Lima district of Carabayllo, was detained on a charge of terrorism in March 1981. It was only in August 1982, however, that a Lima court concluded that the charges were false and he was released. Amnesty International had adopted him as a prisoner of conscience.

Trade unionists were detained under Decree 046 during labour conflicts, particularly leaders of unions at small and isolated mines in the Andes. Some were systematically beaten and ill-treated under interrogation. Amnesty International appealed to the authorities for medical attention for Delfin Cuba Taquiri, a union leader at the Canarias Mine in Ayacucho who was detained on 11 September by the Civil Guard under Decree 046 during a miners' protest march. Taken to Ayacucho City, he was reportedly interrogated under torture by the Civil Guard, and received severe internal injuries when a gun barrel was inserted into his rectum. One week later he was hospitalized and underwent surgery; the charge of terrorism was dropped in mid-November. A total of 32 members of the Canarias Mine union were accused of terrorism by mineowners in February 1982 after strike action, and were detained for short periods during 1982.

Most of the prisoners charged under Decree 046 adopted as prisoners of conscience were leaders of peasant regional federations and community councils. In a typical case, Pastor Anaya Cuadros, a leader of the peasant community of Jicamarca, Lima department, was detained on 10 February 1982 accused of having "incited the occupation of privately owned land", having engaged in "political propaganda"; and of conducting "training for subversive actions". Although he was held under Decree 046, no reference to specific acts of violence was made. He was held in the island prison of El Fronton, six miles from Lima's port of Callao, for 10 months awaiting trial. He was released on 4 December when a Lima criminal court dismissed the terrorism charge, citing the Lima *Fiscal Superior*'s, state's attorney's, conclusion that no crime of terrorism had been committed, and that charges had stemmed from false accusations by land speculators seeking control over community lands. The public report of the state's attorney expressed "disquiet" at the Civil Guard's decision to carry out the arrest and press for prosecution. The report found that the alleged evidence of "terrorism" produced by the Civil Guard consisted largely of confiscated newspapers, books and magazines

that circulated freely, and that to consider such material proof of terrorism "would put at risk the security of anyone who had in their library works by socialist writers", and violate "the precept that it is not a crime to hold an opinion".

In Cusco department three leaders of the Acomayo provincial peasant federation adopted as prisoners of conscience were detained for leading a provincial strike in October 1981 but charged with "terrorism". One of them, union official Florencio Torobeo, 60, was arrested on a "terrorism" charge on 17 January 1982, eight days after Lima newspapers published his open letter denouncing the earlier detention and torture of his colleagues. The Acomayo prisoners were still held without trial at El Fronton in December 1982; Florencio Torobeo was seriously ill with stomach ulcers and kidney disease.

Amnesty International was also working on behalf of leaders of peasant communities detained before the March 1981 terrorism decree and charged with criminal offences in the course of land conflicts. Nine leaders of the peasant community of Uramaza in the mountains of northeastern Lima department were detained in February 1981. They were held in the provincial jail at Cajatambo on the basis of accusations by the family of a local landowner in dispute with the community over land rights. In a clash with private guards on 22 February 1981 one Uramaza peasant was shot by a guard, who was subsequently drowned in a gorge, together with community member Telésforo Léon. Nine community leaders, including the president and treasurer of the administrative council, were subsequently detained and charged with murdering the guard, and attempted murder of the landowner. Amnesty International believed they were detained because of their positions on the governing council of the Uramaza community and not because of personal involvement in any criminal violence. Although they were all subsequently acquitted, in November 1982, the effects of their detention were exacerbated by poverty; the two children of prisoner Teófilo Espinoza died during his 20-month imprisonment; other children had to leave school.

Amnesty International found considerable evidence that prisoners charged under Decree 046 were tortured, including statements by prisoners interrogated by ***Seguridad del Estado***, State Security, officers in the city of Chimbote in August and September 1982. Former prisoners said they were stripped naked and then systematically kicked and beaten with leather implements filled with sand. They were subjected to what was called *"la pita"*: their hands were bound behind their backs and pulled upwards by a rope thrown over a beam while their heads were bound in damp cloths obstructing breathing. In some cases *"la pita"* also involved electric shocks from wall outlets conducted through wet cloths on prisoners' bodies. Testimonies from

prisoners in the city of Ayacucho described identical practices, also termed *"la pita"*. Amnesty International repeatedly called on the government to investigate reports of torture but was unaware of any such government initiatives.

Amnesty International appealed to the government to initiate independent inquiries into several cases in 1982 in which prisoners were apparently deliberately killed by members of security forces or died of gunshot wounds in unexplained circumstances in prison. On the night of 28 February five prisoners charged with terrorism were removed from their cells in Ayacucho prison by members of the Republican Guard the uniformed paramilitary force that guards prisons and government buildings and reportedly interrogated under torture regarding an escape plot. According to reports from other prisoners, four of them were later taken from the prison, shot by their guards and left for dead; Republican Guard officers maintained the four were shot trying to escape. Prisoners Amilcar Urbay Ovalle and Eucadio Najarro Jauregui were not killed outright, however, and were taken, badly wounded, to the Ayacucho hospital by a passing patrol of the Civil Guard. The fifth prisoner, William Esquivel, was found dead in the early hours of the morning inside the prison with his throat deeply cut on both sides. His death was attributed by prison authorities to suicide while attempting to escape "when he saw himself surrounded by guards". A Civil Guard medical examiner reported, however, that this was impossible given the nature of the wounds and the lack of blood on his hands, and recorded severe bruising on the body.

On 2 March guerrillas attacked Ayacucho prison, killing several guards and freeing an estimated 300 prisoners, including political prisoners and over 100 narcotics offenders. Several hours afterwards, a uniformed patrol of the Republican Guard entered the Ayacucho hospital where the two survivors of the 28 February incident and three other prisoners were under police guard on terrorism charges. Despite the resistance of hospital staff, Republican Guards shot dead Amilcar Urbay in his bed, and shot and almost strangled to death Eucadio Najarro, leaving him for dead with a blood-transfusion tube ripped from his arm and knotted around his neck. Prisoners Carlos Alcántara and Russell Wensjoe were shot outside the hospital. Eucadio Najarro was revived by hospital staff, although in critical condition.

Amnesty International called for an independent inquiry into the killings on 28 February and 2 March and urged special protection for Eucadio Najarro, the only survivor of the five prisoners reportedly tortured in Ayacucho prison before the assault and mass escape. A joint commission of the Interior and Justice Ministries recommended

that the Republican Guards named in public accounts of the killings should be prosecuted; however, the authorities have declared that the Republican Guards involved "can not be located".

Amnesty International also made inquiries into the shootings of prisoners by Republican Guards guarding prisons. Some killings resulted from guards firing at cell block windows, apparently indiscriminately. Others appeared to be deliberate killings of specific prisoners. At Lima's principal prison, Lurigancho, which holds some 5,500 prisoners, 10 prisoners were killed by bullet wounds during 1982, and at least 14 others received bullet wounds in the back, legs or stomach.

Prisoners charged under Decree 046 were shot during transfers in unexplained circumstances; Donato Méndez was shot by guards during the transfer of prisoners charged with terrorism to El Frontón prison on 10 April 1982, and subsequently died on 21 April in hospital.

An Amnesty International delegation visited Peru in May and met government officials, jurists and domestic human rights organizations. The delegation also met some political prisoners and prisoners of conscience, including the three peasant union leaders from Acomayo then held in an isolation cell in Cusco's Q'uencorro prison. One objective of the mission was to examine the situation of rural peasant and indigenous peoples subjected to political imprisonment or persecution. Meetings were held in Lima, and the Andean departments of Junín, Huancavelica, Cusco and Puno, with national and local peasant organizations and with human rights groups. Several isolated peasant communities whose leaders were adopted as prisoners of conscience were visited.

In a meeting with Minister of Justice Enrique Elías Larosa Amnesty International's delegates discussed its concerns, including the Minister's decision to transfer all prisoners charged under Decree 046 from provincial prisons to Lima following the guerrilla assault on Ayacucho prison on 2 March. Male prisoners were subsequently transferred to El Frontón, and women, first to the Chorrillos women's prison and then to the small *Cárcel de Callao*. These transfers led to long delays in trials, obstructed prisoners' defence, and made visits from the families of many prisoners impossible.

The delegates were informed by members of the judiciary that the transfers had not been legal, as cases opened in provincial courts could not be shifted to a different district. Legislation legalizing the transfers was introduced later in the year. However, by the end of 1982 none of the estimated 250 prisoners transferred to Lima on Decree 046 charges had been tried, and visits to El Frontón by defence lawyers were restricted and irregular.

Through the assistance of the Minister of Justice, the Amnesty

International delegation visited El Frontón prison and spoke privately with some prisoners of conscience. The delegates also met a representative of another group of prisoners who had publicly declared their allegiance to the *Sendero Luminoso* guerrilla group, and who refused to permit other individuals associated with the group to meet the delegation.

Since early 1982 the guerrilla group *Sendero Luminoso* had carried out scores of public "executions" in areas over which it had established temporary control. At least 70 Peruvians were believed to have been "executed" by *Sendero Luminoso* in 1982 in mountain villages, often before assembled villagers, after having been designated enemies of the group in mock trials. They included police and local government officers, supporters of the governing party and of left-wing opposition parties which opposed the use of terrorism, and leaders of peasant communities, cooperatives and labour organizations who refused to collaborate with the guerrillas. In areas described as "liberated territories" guerrilla leaders circulated lists of "informants, traitors and class enemies", who were to be captured and "executed", and also announced their intention to "execute" petty criminals. Amnesty International expressed to the Peruvian authorities and news media its position that it considers unacceptable the killing of prisoners, whether by governments or by any other organization.

Suriname

Amnesty International's main concern was reports of summary or extrajudicial executions of alleged opponents of the government by the armed forces.

In February 1982 the civilian government of President Chin A Sen was dismissed by Lieutenant Colonel Desi Bouterse, Commander-in-Chief of the Suriname Armed Forces. The military authorities had shared executive power with a civilian government since a military coup in February 1980, after which parliament, legislative elections and the constitution were suspended. A new civilian cabinet was appointed in April 1982 but Lieutenant Colonel Bouterse, aided by a military committee, retained control of the government.

On 13 March Sergeant Major Wilfred Hawker was summarily executed by firing-squad, following an attempted coup on 11 March. Amnesty International wrote to Lieutenant Colonel Bouterse on 16

March, expressing its concern. On 23 March Amnesty International wrote to the government calling for those arrested after the attempted coup to be given a fair trial and urging that no further executions take place.

In October 1982 the *Moederbond*, Suriname's largest trade union confederation, organized a series of strikes demanding a return to civilian rule. The strikes ended after the military authorities reportedly agreed to negotiations with Cyril Daal, Chairman of the *Moederbond*, and other trade union leaders over a new constitution, a law on political parties and an elected constituent assembly.

However, on 8 December a number of prominent civilians were arrested by the military authorities, following alleged disturbances in the capital, Paramaribo. Amnesty International subsequently received reports that at least 15 people were summarily executed while in military custody on 9 December. They included Cyril Daal; Kenneth Gonsalvez, Dean of Suriname's Bar Association; Andre Kamperveen, former Minister of Culture and Sport; Josef Slagveer, director of the *Informa* news agency, and other prominent lawyers, journalists, university lecturers and politicians. On 10 December Amnesty International conveyed its concern about the alleged executions, and urged that those still in detention be treated humanely and that no further executions take place.

On 14 December Lieutenant Colonel Bouterse said on Suriname television that 15 people, arrested on suspicion of plotting a coup, had been shot while trying to escape from custody. However, reports received by Amnesty International indicated that the victims had been shot through the front of the head or chest (in some cases several times) and bore signs of having been tortured. Most of the 15 people who died on 9 December had been taken from their homes by military personnel in the early hours of 8 December. The night before the headquarters of the *Moederbond*, two independent radio stations and the offices of an opposition newspaper had been burned down, allegedly by government troops. Two of those reportedly executed were former army officers who had been in military detention for nine months, accused of involvement in the attempted coup in March 1982. In November a military court had sentenced them to long terms of imprisonment. Their three defence lawyers were among those arrested on 8 December and reportedly executed the next day.

Amnesty International asked the Secretary General of the United Nations to use his "best endeavours" (under the terms of the General Assembly Resolution 35/172 on Arbitrary and Summary Executions) to establish the full facts of the reported executions. Amnesty International also expressed its concern to the Inter-American Commission on Human Rights.

Lieutenant Colonel Bouterse reported in an interview with

CANA (Caribbean News Agency) on 18 December that no one remained in detention as a result of the alleged December coup plot. Amnesty International was unable to confirm by the end of the year reports that many more people than the 15 mentioned above had been killed or executed.

United States of America

Work for the abolition of the death penalty and against impending executions was the main concern of Amnesty International during 1982. Amnesty International was also concerned about allegations of politically motivated prosecutions and about the fairness of trials in such cases.

In 1972 the US Supreme Court had ruled all existing state death penalty laws invalid on the ground that the arbitrary and capricious manner in which they were applied amounted to "cruel and unusual punishment" in violation of the constitution. Thirty-eight states had since introduced revised death penalty legislation to conform to the constitutional requirements laid down by the Supreme Court. New Jersey and Massachusetts reintroduced the death penalty in 1982. On 31 December, 1,137 prisoners were under sentence of death, the highest figure ever recorded in the USA.

Six prisoners had been executed since 1976, when a 10-year moratorium on executions ended with a Supreme Court ruling that the death penalty for murder was constitutional if imposed under certain conditions. During 1982 lawyers predicted a large increase in executions in the near future, as the appeals of many people sentenced since 1972 ran out.

Amnesty International appealed for clemency for two prisoners who were executed during the year and for one who was granted a last-minute stay of execution.

Frank Coppola was executed by electrocution in Virginia on 10 August 1982. On the same day, a federal appeals court had granted a stay of execution but this was overturned by the Supreme Court less than six hours later. This was the first execution in Virginia since 1962.

On 7 December in Huntsville, Texas, Charles Brooks was

executed by intravenous injection of a lethal dose of sodium thiopental (pentothal), the first such execution in the USA. Amnesty International wrote to the Texas State Governor and state and federal medical associations expressing concern at the reported involvement of doctors in the administration of drugs for execution. One of two doctors present at Charles Brooks' execution was quoted as saying that, although he had not given the injection, the drugs came from his own supply and he gave guidance to the medical assistant who administered the injection. The same doctor monitored the prisoner's heartbeat until death and reportedly indicated at one point that the injection should continue for a few more minutes. Before the execution the doctor had examined Charles Brooks to assess the suitability of his veins for intravenous injection. Amnesty International pointed out that this appeared to breach guidelines issued by the Texas Medical Association which state that a doctor's only role in execution by injection should be to certify death. The World Medical Association and the American Medical Association have also declared the active participation of doctors in such executions to be ethically unacceptable. The Amnesty International Declaration on Doctors and the Death Penalty (see *Amnesty International Report 1981*), calls upon doctors not to participate in executions.

Amnesty International wrote letters of concern to governors and medical associations in five other states which have introduced lethal injection as a method of execution: Oklahoma, Idaho, New Mexico, Washington and Massachussetts.

On 17 October 1982 a special action against the death penalty in the USA was launched with an international news release. Amnesty International wrote to state governors, newspapers and churches in the 28 states where prisoners were under sentence of death.

No prisoners were adopted as prisoners of conscience during 1982, but Amnesty International continued to investigate a number of cases of prisoners who maintained that, although they were convicted on criminal charges, the real reason for their imprisonment was political.

In October 1982 an Amnesty International observer attended the trial in Lexington, Mississippi, of Eddie Carthan, on a charge of murder, which carried a possible death sentence. Eddie Carthan was former mayor of the predominantly black town of Tchula, Mississippi; he was the first black mayor to be elected to a bi-racial town in the area for more than a century. Eddie Carthan was accused of having hired two men to murder a political opponent, former Tchula alderman Roosevelt Granderson, who was shot dead during a robbery in June 1981. Eddie Carthan denied the charge and alleged that he was the victim of a conspiracy by his (predominantly white) political opponents.

At the time of the trial he was already serving a three-year prison sentence on other charges which had led to his enforced resignation as mayor in May 1981. The only evidence against Eddie Carthan at the murder trial was the testimony of two convicted prisoners, who had confessed that they had killed Granderson. At first, only one of these witnesses agreed to testify against Eddie Carthan, in return for which the prosecuting authorities lessened the charge for the killing of Granderson. However, during the trial, it became clear that his testimony did not establish Eddie Carthan's guilt. The trial was adjourned to allow the prosecution to offer to the second man who had confessed to the killing reduced charges in return for testifying against the accused. The second witness, who had previously refused to implicate Eddie Carthan, testified that Eddie Carthan had paid him money to kill Granderson. His evidence contained a number of inconsistencies and Eddie Carthan was acquitted by the jury.

Although Amnesty International's observer was unable to conclude that the prosecution had deliberately "framed" Eddie Carthan (that is, knowing he was innocent had brought false charges against him), the observer did criticize several features of the prosecution's methods. In particular, he found that the plea bargains offered by the prosecution to the two witnesses, which included the lessening and dropping of charges, were "an inducement to false testimony" and could "jeopardize the right of an accused to a fair trial". He also found that at least some degree of improper political interference had taken place, and that three previous charges against Eddie Carthan (also based on the induced testimony of alleged accomplices) indicated a pattern of prosecution harassment. Trials or appeals against conviction were pending in these cases.

In June 1982 the Federal District Court of Northern California granted a writ of ***habeas corpus*** in the case of Johnny Spain and ordered that he be retried or released (see ***Amnesty International Report 1982***). The State of California appealed to the US Court of Appeals against this ruling; this appeal had not been heard by the end of 1982.

On 5 February Amnesty International wrote to the US Attorney General about the procedures applied by the US Government to Haitians seeking asylum in the USA because they feared persecution in Haiti. Amnesty International expressed concern at the US practice of intercepting boats carrying Haitian asylum seekers and of holding expulsion hearings aboard US Coast Guard vessels, without allowing the Haitians to be legally represented. Amnesty International also asked about the procedures applying to the approximately 2,700 Haitian asylum seekers then detained in the USA and Puerto Rico (see ***Amnesty International Report 1982***). On 20 May the Department

of Justice replied that, in respect of all the issues raised by Amnesty International, US officials had acted in accordance with US law. The Justice Department also stated that "... the Government of Haiti has given its unqualified assurances that migrants who are returned will not be prosecuted for their departure or otherwise persecuted." On 29 June a federal district judge ordered the conditional release of Haitian asylum seekers held in detention camps in the USA and Puerto Rico, on the ground that the Immigration and Naturalization Service had made procedural errors when it adopted the policy of detention in 1981. As a result of this ruling, nearly all Haitian asylum seekers had been released into the care of sponsors by the end of the year, while their applications for political asylum were being considered.

Amnesty International also wrote to the US Government about Salvadorians seeking political asylum in the USA who faced possible danger to their lives if returned to El Salvador (see entry on El Salvador).

Uruguay

Amnesty International's concerns were the large number of prisoners of conscience, many of whom were arrested during 1982; the continuing practice of unacknowledged detention and the lack of legal guarantees for detainees; the administrative detention of prisoners who had completed their sentences; torture and ill-treatment of prisoners; deaths in custody; and new trials of political prisoners before military courts with deficient procedures.

In May a government official stated that there were 992 political prisoners in Uruguay, 858 men and 134 women. At the close of 1982 Amnesty International was working on behalf of 264 adopted prisoners of conscience, and a further 100 prisoners whose cases were being investigated. During 1982 Amnesty International learned of the release of 43 prisoners for whom it had worked.

On 3 June the Council of State approved a statute on political parties which allowed three political parties: the *Partido Colorado*, Colorado Party, the *Partido Nacional*, National Party (also referred to as the *Blancos*), and the *Union civica*, Civic Union. The political parties in the opposition coalition, *Frente Amplio*, Broad Front, which included the Christian Democrat, Communist and Socialist parties, together with smaller left-wing groups, remained banned. Many members of these parties were imprisoned during the 1970s and adopted by Amnesty International as prisoners of conscience.

Seventeen members of the legal political parties were arrested in October in connection with internal party elections which were held on 28 November 1982. In the period preceding these elections political bans imposed on a number of politicians of the *Colorado* and *Blanco* parties remained in force, although some had their bans lifted. All 17 were later released, but four *Blanco* candidates and one *Colorado* candidate still faced charges before military courts of disrespect for the armed forces after making electoral speeches critical of the government.

Between January and May Amnesty International learned of the arrest of 30 trade unionists. According to official statements in January and March, 21 were indicted before military courts with offences under the *Ley de Seguridad del Estado y el Orden Interno*, Law of State Security and Internal Order (1972). They were accused of membership of the banned Uruguayan Communist Party. Amnesty International adopted 27 of them as prisoners of conscience.

People arrested continued to be held for prolonged periods in unacknowledged detention without trial and denied legal guarantees such as access to a lawyer and their families. In May Amnesty International appealed for Darwinson Abel Caballero Brandi, a worker in a shirt factory, following reports that he had "disappeared" after leaving his work place in Montevideo on 22 March. Attempts by relatives to trace him proved fruitless. No further information on his fate or whereabouts was received until November, when it was officially acknowledged that he was being held awaiting trial in the *Penal de Libertad*, Libertad prison.

Amnesty International remained concerned about Miguel Angel Mato Fagiani, Felix Ortiz Piazoli, Americo Gaston Roballo Tardaguila and Omar Antonio Paita Cardozo, all of whom were the subject of urgent appeals. Miguel Angel Mato Fagiani was reported to have "disappeared" on his way to work at a tyre factory in Montevideo on 29 January. His family was unable to gain any information on his whereabouts despite the presentation of a *habeas corpus* petition. In May the Uruguayan authorities, in a note addressed to the Human Rights Commission of the Organization of American States, stated that there was no record of his detention. Omar Antonio Paita Cardozo, previously a leader of the port workers' trade union, "disappeared" on 21 September 1981. No further news was received of him until April 1982 when another trade unionist, Victoriano Gonzalez Camargo, who had been arrested on 28 September 1981 and held for three weeks, claimed to have seen him and heard his cries in a military barracks in Montevideo. Victoriano Gonzalez, who left the country in the face of threats that he would be rearrested, claimed that he himself was kept hooded and tortured with beatings, electric

shocks, hanging and prolonged periods of standing (*planton*) while under interrogation. He alleged that doctors were present during these sessions. By the end of 1982 no news of the whereabouts of these four men had been divulged.

During 1982 Amnesty International received information about 22 political prisoners who were detained without charge or trial after completing their prison sentences. It was believed that they were being held in continued custody under Article 168, paragraph 17, of the constitution, which suspends certain individual guarantees in "grave and unforeseen cases of foreign attack or internal turmoil". This has been used repeatedly as a basis for detention without trial and the government continued to maintain that *habeas corpus* writs were not applicable in such cases. Amnesty International urged that the prisoners be released if there were no new charges against them. Five women prisoners who had been held in a military barracks after completing their sentences, in some cases for more than a year, were released. They were obliged to leave the country.

On 13 July Amnesty International appealed to President Gregorio Alvarez for an inquiry into the deaths in custody of two prisoners – Edgar Sosa Cabrera and Juan Alfredo Pino Garin – who died in detention after the expiry of their sentences. In both cases this date had been confirmed by a military court. Edgar Sosa Cabrera had completed an eight-year sentence in June 1981. He was believed to have died during the last week of April 1982 after being transferred to an empty out-building at Libertad prison. The prison authorities claimed that he had committed suicide. Juan Alfredo Pino Garin had completed a 10-year sentence in April. It was reported that around 10 June he was moved from Libertad prison to a military barracks in the provincial town of Florida, the *Batallon de Ingenieros de Combate No. 2*, where he was allowed a visit from his family. He died a few days later. The authorities claimed that he had hanged himself. Other reports suggested that shortly before his death he was in good health and spirits, and expected to be released shortly into exile. In its appeal Amnesty International urged the President to guarantee the safety of prisoners in military prisons. The organization also expressed concern for Jorge Selves Lawlor, who had completed a seven-and-a-half-year sentence in February 1981. Concern was aroused by reports that he had been moved into the same out-building in Libertad prison where Edgar Sosa had died, that he had been severely beaten there, and had subsequently been transferred with Juan Alfredo Pino Garin to the Florida barracks. Another prisoner, Washington Guinovart Tonelli, was allegedly moved to the same barracks in July. His nine-year sentence had expired in June 1981 and his release date had also been confirmed by a military tribunal.

Concern persisted at reports of harsh treatment and inadequate medical attention in the two principal military prisons for political prisoners: the *Penal de Libertad* for men, officially known as *Establecimiento Militar de Reclusion No. 1*, and the *Penal de Punta de Rieles* for women, officially known as *Establecimiento Militar de Reclusion No. 2*. During 1982 Amnesty International appealed for urgent medical treatment for 13 prisoners following reports of deterioration in their health. The organization was concerned about the alleged slowness of diagnoses and treatment in a number of cases and irregularities in the supply of medicines to prisoners. In April and September Amnesty International appealed on behalf of Professor Dr Jose Luis Massera Lerena, an internationally known mathematician, former member of parliament, and adopted prisoner of conscience, following reports of a deterioration in his condition – hypertension allegedly exacerbated by irregularity in his supply of medicines. On 9 July adopted prisoner of conscience Alberto Altesor Gonzalez, a 68-year-old ex-trade unionist and member of parliament, who had been seriously ill with a heart condition, was operated on successfully. Permission had been granted for a surgeon appointed by the family to operate. Amnesty International welcomed this decision and appealed for his early release to ensure proper post-operative care. In December Amnesty International appealed to the President for the early release of both Alberto Altesor and Dr Massera.

Amnesty International remained concerned about conditions in the women's prison, *Penal de Punta de Rieles*. Following an incident reported in February, in which three prisoners were allegedly beaten with sticks by officers, there were reports that solitary confinement was being used indiscriminately and on an increasing scale.

Amnesty International was investigating the cases of 15 prisoners who had completed their sentences but were facing new trials for political offences allegedly committed in prison. The majority had been accused of belonging to a faction of the urban guerrilla movement *Movimiento de Liberacion Nacional – Tupamaros*, known as the *Seispuntistas*, Six Point Group. They were charged under the military penal code with "subversive association". Amnesty International believed that the procedures followed in these cases did not conform to international standards. It was known that several of the prisoners had been removed for interrogation from Libertad prison to military barracks where for several months they were held incommunicado. It was alleged in a number of cases that torture and threats were used to force them to sign confessions. Amnesty International urged that the prisoners be released immediately or tried in accordance with internationally recognized legal standards.

In June Amnesty International submitted information under the

United Nations procedure set up to examine a "consistent pattern of gross and reliably attested violations of human rights". During 1982 Amnesty International also submitted information to the UN Working Group on Enforced or Involuntary Disappearances.

In April the Human Rights Committee established under the International Covenant on Civil and Political Rights discussed the Uruguayan Government's report. During the year the committee published its views on 10 Uruguayan cases. In all 10 cases the Uruguayan Government was found responsible for violations of the covenant. The committee gave its views in April on the case of Mario Teti Izquierdo, who was facing a new trial following his removal from Libertad prison for several months in 1980 and 1981. It found the government responsible for ill-treating him and depriving him of a fair trial. In a decision in July on the cases of Carmen Amendola Massiotti and Graciela Baritussio, the committee expressed the view that their continued detention after completing their prison sentences constituted arbitrary detention. The committee considered the case of Hugo Haroldo Dermit, who died in custody in a military barracks in December 1980, having completed his sentence the previous June, and stated its view that the Uruguayan Government had violated Article 6 on the right to life.

Venezuela

Amnesty International's concerns included the trials by military tribunals of civilians charged with political offences, and extreme delays in these trials; allegations of torture and the "disappearance" of two prisoners; and an incident in which 23 alleged guerrillas were killed in uncertain circumstances.

A long-standing concern was the exclusive jurisdiction of the military courts over political offences defined in the Military Code of Justice as ***rebelión militar*** (military rebellion). In 1979 an amnesty had released over 100 political prisoners held under military jurisdiction. Many had been held without trial for over six years. Amnesty International was concerned that by 1982 over 80 political prisoners faced charges of military rebellion in the military courts. Under military trial procedures civilians charged with military rebellion may be held indefinitely without judgment, and without redress before the ordinary courts. At least five prisoners detained in 1976 and 1977, who were excluded from the 1979 amnesty, had not yet been judged.

Amnesty International followed the case of army Lieutenant Colonel Luis Alfonso Godoy, who was detained on 26 August 1982 after publicizing allegations charging a superior officer – since retired – with corrupt practices during an army road-building project in 1972. He was apparently detained without charge on the order of the Minister of Defence pending a procedural ruling by the military high court.

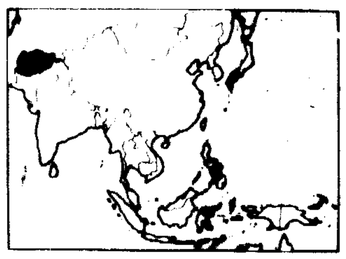
Amnesty International received information on a case of alleged torture by the detective corps, the *Policia Tecnica Judicial* (PTJ), and the "disappearance" of two prisoners. Rogelio Castillo Gamarra and Andres Avelino Colina were detained by the PTJ on 29 and 30 April respectively in Coro, Falcon state, after a bank robbery. They "disappeared" on 2 May; PTJ spokesmen claimed the two had escaped. The families of the two men publicly demanded to know where their bodies were, and distributed a photograph of Rogelio Gamarra taken in custody and showing signs of torture. PTJ officials subsequently confirmed that the photograph had been taken during interrogation by police officers and unofficially released to the family. Several Coro residents and other prisoners subsequently claimed to have witnessed the interrogation under torture of the two men by PTJ agents at an isolated beach near Coro on 2 May. They said that the two men were handcuffed, held by their hands and feet and submerged repeatedly. A prisoner told investigators in June 1982 that he, Gamarra and Colina had been interrogated at Coro police station and had been systematically beaten, nearly suffocated with plastic bags, and given electric shocks. He said that he and Rogelio Gamarra had been taken to a beach on 30 April and submerged repeatedly; that Rogelio Gamarra had then required artificial respiration; and that Rogelio Gamarra had been taken again to the beach with Avelino Colina on 2 May where he drowned during interrogation. Avelino Colina's situation was not known.

A special investigator was assigned to the case in May 1982 by the office of the Attorney General. State's attorney Dr Pablo Gonzalez subsequently recommended prosecution of 11 PTJ officers; a charge of aggravated homicide was brought against four of them. Dr Gonzalez subsequently called for investigations into death threats he had received after deciding to press charges against Coro police officers. Trial proceedings against the 11 accused police officers were in progress at the end of 1982.

On 17 December Amnesty International inquired about an incident on 4 October 1982 in which 23 alleged members of the guerrilla group *Bandera Roja* were killed in a combined operation by the army and the civilian political police, *Direccion de los Servicios de Inteligencia y Prevencion* (DISIP). Their camp was surrounded

and attacked with machine-guns from low-flying aircraft. The incident in Cantaura, Anzoategui state, prompted commissions of inquiry by the Congress as well as the Attorney General's office when it was learned that there were no survivors, and that the victims had immediately been buried in a mass grave without autopsies. The army initially refused to allow the bodies to be returned to families, or to permit autopsies by the civilian medical examiner. Although families were permitted to recover the bodies 10 days later, the army reportedly continued to refuse autopsies. The official commissioned by the Attorney General to observe the exhumations on 14 October was forcibly excluded from the cemetery on the grounds that investigation of the affair was exclusively within the jurisdiction of the military courts. Amnesty International expressed concern at the army's claim of exclusive jurisdiction and welcomed the statement from the office of the Attorney General that its own investigation remained open.

Asia



Afghanistan

Amnesty International's concerns were the imprisonment of prisoners of conscience, trials of political prisoners that appeared to fall short of internationally recognized standards for a fair trial, the torture of detainees, extrajudicial executions and the use of the death penalty.

Widespread armed conflict persisted in 1982 between government forces supported by troops from the Soviet Union and various armed opposition groups which appeared to control much of the countryside. The fighting was accompanied by frequent allegations of human rights violations on both sides. At the same time the Afghan Government published very little information on arrests, trials and death sentences and did not disclose the number of political prisoners. The absence of comment in the official news media about human rights matters was notable compared with earlier years. The arrest of eight prominent intellectuals in May (see below) was not reported. Outside observers were rarely allowed access to Afghanistan in 1982 except for those who visited territory held by anti-government forces. International humanitarian organizations also faced great difficulties in working in Afghanistan during 1982.

Amnesty International appealed in January 1982 to both sides in the fighting to halt executions of prisoners. The appeal followed the execution of at least 16 political prisoners in 1981 by the Afghan Government and the threatened execution by the anti-government group, the *Hezbi Islami*, of three captured Soviet soldiers. In 1982 some Soviet soldiers captured by anti-government groups were transferred to the custody of the International Committee of the Red Cross to be interned in Switzerland until the cessation of hostilities, or

for two years, and then returned to the USSR. Amnesty International also appealed to President Babrak Karmal for information about the reported arrests of at least 500 political prisoners, who were alleged to be supporters of "rebel bands", since August 1981. No further information was received about these arrests.

Amnesty International learned of the arrest of eight prominent intellectuals in May 1982 whom it believed might be prisoners of conscience. Among them were Dr Hassan Kakar, a historian, Fazl Rabi Pazhwak, a professor of law at Kabul University and formerly its Chancellor, and Dr Osman Rustan and Dr Tarzi, respectively professor and lecturer in law at Kabul University. Amnesty International received reports that three were beaten at the time of their arrest. The arrests of other possible prisoners of conscience were reported to Amnesty International including that of Gholam Shah Saichare Chamadi, a poet and former manager of the newspaper *Anis*. It was also reported that some 40 artists and officials of the Ministry of Culture were arrested in February 1982.

It was impossible for Amnesty International to gauge the full extent of political imprisonment in Afghanistan. Some prisoners were believed to be held in Pule Charchi prison on the outskirts of Kabul, but at least two other detention centres of the *Khad* (State Security Police) were known to Amnesty International, one in the Prime Minister's Secretariat, and the other known as the *Sedarat*. Prisoners were also held in detention centres in the provincial towns of Jalalabad, Faizabad, Khost, Gardez, Khunduz, Ghazni, Kandahar, Herat, Mazar-e-Sharif and Sheberghan.

In September 1982 the Afghan Government promulgated a "Law on the Implementation of Sentences in the Prisons". Article 3 of this law reinforced the prohibition of torture in Afghan prisons. Despite such legal prohibitions Amnesty International received consistent allegations of torture of political prisoners. In December 1982 the organization received the detailed testimony of Farida Ahmadi, a 22-year-old medical student who was detained for six months in 1981 in a *Khad* detention centre in Kabul. Farida Ahmadi said that during her detention she was interrogated, denied sleep for up to a week, and subjected to electric shock torture. She also alleged that she witnessed the torture of other political prisoners.

Executions and death sentences were not reported for most of 1982. On 4 December, however, 10 anti-government rebels were executed for murder, theft and other offences. On 1 December three men – Niaz Mohammad, Barialay and Enzer Gol – were sentenced to death for abduction. A further three men were sentenced to death on 29 December for acts which included the planting of bombs in a Kabul restaurant resulting in the deaths of 21 people. Amnesty International

urged President Babrak Karmal to commute the death sentences passed on the six men. Amnesty International stressed that it opposed the execution of all prisoners in Afghanistan, whether by the government or other organizations.

Amnesty International was concerned about reports of extrajudicial executions which it received in late 1982. Two specific incidents were drawn to the organization's attention. Over 100 unarmed civilians were allegedly killed by government forces in the village of Kasham Kala, Logar province, in August 1982. In the second incident, 105 people were reportedly killed in mid-September near the village of Padkhwab-e-Shama, south of the city of Kabul. In both cases it was reported that there was no resistance offered to the government by the victims and that they appeared not to have been killed in a context of armed combat.

In late 1982 Amnesty International received reports that the Afghan Government was considering ratifying the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights.

Bangladesh

Amnesty International was concerned about the imprisonment of political prisoners under special legislation, the trial of civilians including political prisoners by military courts applying summary procedures, the ill-treatment of political prisoners in jail, continued allegations of human rights violations in the Chittagong Hill Tracts, and the imposition of the death penalty.

On 24 March 1982 President Sattar's government was overthrown in a military coup led by General Hossain Mohammad Ershad, who became Chief Martial Law Administrator. From 24 March 1982 the constitution was suspended and the National Assembly dissolved, and the armed forces ruled the country. Martial law regulations and newly-constituted military courts operated throughout the country.

Under martial law political activities among students and trade unionists were banned. Hundreds of political party workers, trade unionists and students were arrested in the months following the coup. Members of certain political parties, in particular the Bangladesh National Party (BNP), its student wing (BNSP), and the *Jatiya*

Samajtantrik Dal (JSD), featured prominently in trials before military courts. Former ministers of President Ziaur Rahman's and President Sattar's governments were tried before the Special Martial Law Tribunal, the principal military court established since the coup. Most were charged with "corruption and misuse of power". Amnesty International sent a cable to General Ershad on 26 March 1982 expressing concern at the introduction of the death penalty for offences including corruption and illegal possession of arms. It urged that charges should be made public and that trials should be held before civilian courts with full legal safeguards, including the right of appeal to an independent tribunal. These recommendations were not implemented.

Fourteen former ministers were arrested on corruption charges during 1982 and several sentenced to terms of imprisonment. Moudud Ahmed, former Deputy Prime Minister and BNP leader, was arrested on 14 November 1982. Amnesty International asked General Ershad on 17 December 1982 for details of the charges against Moudud Ahmed, and expressed concern at his detention.

Two prominent leaders of the Freedom Fighters Association (veterans of the 1971 independence war) were arrested in early 1982. On the first day of the coup Lieutenant Colonel (Retired) Nuruzzaman, ex-Chairman of the ***Muktijoddah Sangsad***, and a vigorous defender of the Freedom Fighters' rights and privileges, was arrested under the Special Powers Act and held, initially, in Dhaka Central Jail. He was adopted by Amnesty International as a prisoner of conscience, and was released on bail on 21 October 1982. He faced two charges: attempting to seduce armed forces personnel from their allegiance or duty; and publishing "prejudicial reports" in 1981 about trial standards in the court-martial of 31 officers.

Another leader of the Freedom Fighters, Colonel (Retired) Shawkat Ali, a member of parliament, was arrested in May 1982 on a variety of charges, including murder and kidnapping, and tried before Jessore Special Martial Law Court. A large number of distinguished Bangladeshi lawyers went to Jessore to observe the trial and Colonel Ali was acquitted on 12 October 1982. Immediately after the verdict he was taken to Dhaka Central Jail, to await trial with Lieutenant Colonel Nuruzzaman on a charge of publishing "prejudicial reports" in 1981. Amnesty International adopted him as a prisoner of conscience.

Suranjit Sengupta, leader of the *Jatiya Ekata* Party and former member of parliament and lawyer, was also detained under the Special Powers Act and adopted as a prisoner of conscience. He was released on 15 October 1982. Amnesty International believed that a considerable number of opposition political leaders and workers remained in detention at the end of 1982. Some were detained soon after the coup but had still not been charged at the end of the year. At the end of 1982 Amnesty International was working on behalf of 10 adopted prisoners of conscience.

Amnesty International was concerned about standards of justice in trials of civilians before the three categories of military court set up in April 1982: the Special Martial Law Tribunal; five Special Martial Law Courts; and 23 Summary Martial Law Courts. Appeals to regular courts of law are forbidden. In practice, lawyers frequently represent defendants in the higher military courts, but before the 23 Summary Martial Law Courts legal representation is forbidden although the accused may be assisted by a "friend". Defendants are allowed no help in preparing or presenting cases before these courts. In each of the 23 Summary Marial Law Courts two junior officers and one non-commissioned officer sit in judgment over cases punishable by sentences of up to seven years. The explicit aim of these courts is to settle cases quickly, and there have been frequent reports of prisoners being arrested, charged and convicted within a week. Few acquittals from these courts were reported.

Amnesty International adopted six trade unionists arrested after March 1982, when strikes and labour disputes at state-owned enterprises were classed as "agitational and political activities" against the interests of the state. On 10 July sentences of three years' imprisonment were imposed on Nasiruddin Jehad and Abu Baker for "instigating workers to strike" at Koalpara Power Station.

The Industrial Relations (Control) Ordinance 1982 (Ordinance No. 26), which was promulgated in August 1982, established a Registrar of Trade Unions who would announce which trade unions enjoyed "majority support of workers as new bargaining agents", a Labour Court which would settle labour disputes, and banned all strikes and lock-outs, punishable by two years' imprisonment with hard labour or a fine, or both.

The new government also banned political activities by students, banning all student unions and arresting students who demonstrated at Rajshahi University in the days following the coup. The Vice-Chancellor of Rajshahi University, Dr Moslem Huda, was dismissed, tried and sentenced by a martial law court for "abuse of power and corruption". Three students of Dhaka University were arrested on 16 September 1982 and sentenced one week later to seven years' imprisonment with hard labour for fixing "anti-state and anti-government" posters on walls of the university campus. There were reports of further disturbances and arrests of students in November 1982 at Dhaka University, Dhaka Medical College and Chittagong University.

Members of Bangladesh's legal profession came into conflict with

the authorities after government attempts to change the judicial system by creating three new High Court Benches outside the capital in June 1982. Lawyers participated in a national boycott of the courts on 10 October 1982, and on 16 October, 13 lawyers were arrested. All the lawyers were released on 26 October after consultations between the Bangladesh Supreme Court Bar Association and the government.

Guidelines to newspaper editors seemed designed to prevent independent reporting of the defence in cases before martial law courts, in particular the Special Martial Law Tribunal. Amnesty International adopted as a prisoner of conscience Golam Mazed, editor of the *Dainik Runner*, who was sentenced on 27 May 1982 to two years' rigorous imprisonment for publishing a "prejudicial" article criticizing the martial law administration. Golam Mazed was released in early September 1982 after a campaign on his behalf by various press organizations. Two weekly newspapers were banned in 1982 after publishing reports judged "prejudicial" to the government.

The conditions and treatment of prisoners in Bangladesh remained a long-standing concern of Amnesty International. The government recognized the need to improve conditions in the announcement of a program of prison reforms in May 1982. There were disturbing reports of beatings and deaths in prison during 1982. Serajul Islam, a JSD worker from Kushtia, died on 30 November 1982 in Kushtia Jail, where he had been detained for seven months without trial. The JSD Secretary General, Abdur Rab, alleged that Serajul Islam had been beaten to death by police officers and buried without a post mortem examination, and that another JSD worker, Safayet Ali, detained in jail, was seriously ill after ill-treatment.

Fighting continued to be reported in the Chittagong Hill Tracts, inhabited by a non-Bengali tribal population most of whom are Buddhists or Christians. Their opposition to the government's policy of establishing Bengali settlements in the Hill Tracts led to conflict between these ethnic groups and the army and police, and reports of many deaths. Amnesty International received allegations that security forces had harassed, tortured, illegally detained and raped inhabitants of the area, but was unable to verify these allegations. Official permission is required to enter the Hill Tracts and outside observers were seldom allowed access to the territory.

The death sentence was imposed frequently for murder in aggravated circumstances, but not all were carried out. Six executions were reported in 1982. Amnesty International appealed to General Ershad in September 1982 on behalf of Biswajit Nandi, whose execution by hanging was imminent. Biswajit Nandi was originally sentenced to death in 1977 by a Special Military Court in Dhaka for

"waging war against the government", and had reportedly spent over five years in a condemned cell, where he remained at the end of 1982. Amnesty International also appealed on behalf of a number of other prisoners sentenced to death by civilian and military courts without right of appeal.

Brunei

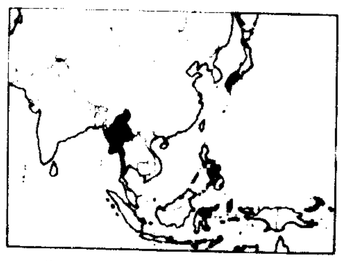
Amnesty International was concerned about the use of emergency legislation to detain people without trial for extraordinarily long periods in conditions which seriously endangered their mental and physical well-being.

Amnesty International continued to work for the release of detainees held under the Emergency Orders issued in December 1962. Some had been held without trial for 20 years since their arrest for alleged involvement in the rebellion of December 1962 launched by the *Partai Rakyat Brunei* (PRB), Brunei People's Party. In August 1962 the PRB won all the elected seats in the Legislative Council. The then Sultan refused to convene the Legislative Council and called in British troops to suppress the ensuing rebellion launched by the PRB. The rebellion was defeated and approximately 2,500 members of the PRB and its military wing, the *Tentera Nasional Kalimantan Utara* (TNKU), North Kalimantan National Army, were detained.

The Emergency Orders under which the detainees were held authorized the Chief Minister to issue indefinitely renewable two-year detention orders. By the beginning of 1982 all but nine of the original detainees had been released although other people reportedly associated with the PRB had been arrested subsequently under the Emergency Orders. It was believed that there were 30 people detained under the Emergency Orders, although the government refused to disclose the precise number even to members of the Legislative Council.

Amnesty International learned of the death in detention of one of its adopted prisoners of conscience, Othman bin Haji Karim. He was 68 years old and had been detained continuously since the revolt. Several of the detainees had reached advanced years and Amnesty International was concerned that their detention in isolation without regular visits or correspondence was a danger to their well-being.

On 20 January 1982 Amnesty International wrote to the Sultan of Brunei expressing regret at the government's decision announced on 7 January 1982 to introduce the death penalty for drug offences, to be mandatory in cases involving trafficking in drugs over a fixed amount. Brunei already had the death penalty for a number of offences including waging war against the Sultan and attempted murder by convicts serving sentences of more than 15 years.

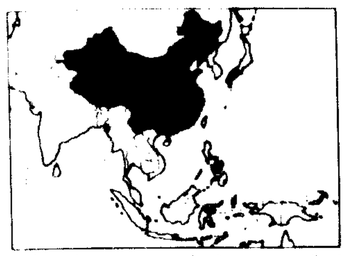


Burma

Amnesty International continued to face great difficulties in obtaining information about human rights violations in Burma. No information regarding human rights concerns or individual cases of imprisonment was divulged by the government.

Opposition political groups remained banned, and criticism of the government was not tolerated. Despite this, however, it was believed that few political prisoners were held after a widespread amnesty in 1980. Some members of the Burma Communist Party were reported to have been arrested during 1982 but names were not disclosed. Amnesty International was also concerned about the reported detention without charge or trial of 500 Chinese, some of whom were reported to have been held because of their support for the Cultural Revolution in China in 1967. Amnesty International was not able to confirm any of these reports.

A 1975 anti-subversion law gave wide discretionary powers to government security agencies. These security agencies were widely reported to have infringed judicial procedures and constitutional guarantees in their operations. Persistent reports suggested that the police and other security forces continued to use physical and psychological coercion, including torture, during interrogation in order to obtain confessions and information. These reports involved both criminal and political cases.



China

Amnesty International's main concerns were trials of political prisoners that fell short of internationally established standards, the imprisonment of prisoners of conscience, the detention without trial of political prisoners and the use of the death penalty. Most prisoners of conscience arrested in 1981 remained detained without trial and the charges against them were still unknown. However, a series of political trials was reported to have been held during the second half of 1982, some of which concerned prisoners of conscience adopted by Amnesty International.

Towards the end of 1982 Amnesty International was preparing a memorandum to the government outlining its concerns in the People's Republic of China (PRC). This followed discussions held during the year in Geneva and New York between representatives of the PRC and of Amnesty International.

In December 1982 the National People's Congress of the PRC adopted a new constitution replacing that of 1978. Article 35 guarantees "freedom of speech, the press, assembly, association, procession and demonstration". Other articles strengthen the provisions of the previous constitution against arbitrary arrest and introduce new protections against unlawful searches. However, Amnesty International noted with concern that the new constitution no longer guarantees some fundamental rights which were included in the 1978 constitution such as freedom of correspondence, freedom of publication and the freedom to strike – and that it contains provisions restricting the freedoms it guarantees. For example, although Article 36 proclaims "freedom of religious beliefs", it also provides that "religious bodies and religious affairs are not subject to any foreign domination" – a clause which may be used against people who communicate with churches and religious groups abroad.

A major development was a series of political trials during the second half of 1982. Some were of former provincial or local leaders described as "followers of the Gang of Four". These trials were given wide coverage by the Chinese news media, in contrast to other trials on which no official statement or information was made public. These mainly concerned prisoners of conscience adopted by Amnesty International whose trials appeared to have been held in closed court. Wang Xizhe and He Qiu, two former editors of unofficial journals from Guangzhou, adopted as prisoners of conscience by Amnesty

International, were the first reported to have been tried. Wang Xizhe was reported to have been sentenced to 14 years' imprisonment and deprivation of political rights for an additional four and a half years at his trial on 28 May 1982 in Guangzhou. He Qiu was reported to have been sentenced to 10 years' imprisonment on 29 May 1982. Both were convicted of "counter revolutionary offences". According to unofficial sources, their families were not notified in advance about the trials, contrary to the requirements of the Law of Criminal Procedure which came into force in January 1980, and no official record of the verdicts was made public.

Also tried in 1982 was Xu Wenli, a worker and former editor of the unofficial journal *April Fifth Forum*, who had been arrested in Beijing in April 1981. According to a document alleged to be the record of the court judgment in his case, published in the Hong Kong review *Baixing* on 16 October 1982, Xu Wenli was tried on 8 June 1982 by Beijing Intermediate People's Court and sentenced to 15 years' imprisonment and four years' deprivation of political rights on charges of "organizing a counter revolutionary clique" and "counter revolutionary propaganda and agitation". The accusations against him, according to the document, included holding "secret" meetings in Beijing in June 1980 and forming a "Chinese Communist Alliance", as well as planning the publication of a "Study Bulletin" and the creation of a "Chinese Association for the Promotion of Democratic Unity" with an office in Hong Kong. The second charge against him – "counter revolutionary propaganda and agitation" – referred to his speeches, writings and protests against official measures and to their dissemination abroad.

The document named several other detained editors of unofficial magazines, who were also prisoners of conscience, as having been involved in Xu Wenli's "counter revolutionary group". They were: Wang Xizhe, from Guangzhou; Sun Weibang (alias Sun Feng), from Qingdao (Shandong Province); Xu Zuiliang, from Nanjing (Jiansu province); Fu Shenqi, from Shanghai; and Liu Er'an, from Anyang (Henan Province). The document specified that those named above and "others" involved in the same cities and "elsewhere" were "to be dealt with separately"; that is, they were to be tried separately in the cities where they were detained. More than 25 editors and supporters of unofficial journals were arrested in various cities from April to August 1981. Only Xu Wenli, Wang Xizhe and He Qiu were reported to have been tried by late 1982. Amnesty International requested information from the authorities about Xu Wenli and others reportedly connected with his case.

Several other prisoners of conscience were reported to have been tried in Beijing in mid 1982, including Lu Lin, an editor of the

unofficial journal *Exploration*, detained since mid 1981 in Beijing. He was reported to have been sentenced to four years' imprisonment. No details of the charges against him were known.

The trial of five former prominent Red Guard leaders was also said to have taken place in Beijing in November 1982. They were reported to have been arrested in 1978 because of their activities during the Cultural Revolution (1966 to 1968). No further information about their trial was available in 1982.

A group of nine or 10 people were reported to have been detained in Beijing in connection with the arrest on 28 May 1982 of Lisa Wichser, an American teacher in Beijing. Lisa Wichser was accused of "stealing China's secret information". She stated after her release that this referred to non public documents about the Chinese economy which were given to her by Chinese friends, had a wide circulation, and could not be regarded as constituting "state secrets". After a few days in detention Lisa Wichser was expelled from the country. Those arrested in connection with her case included her fiancé, Yi Xiegong, a student of economics, and eight other students. They were reported to be still detained at the end of 1982 but the charges against them were unknown.

Amnesty International was also concerned about the arrest of Liu Shanqing, a resident of Hong Kong who reportedly "disappeared" after going to Guangzhou in December 1981 to visit the relatives of a prisoner of conscience. His family subsequently learned from officials in Guangzhou that he had been arrested. However, no official information has been disclosed since then about his whereabouts or the charges against him despite repeated inquiries to the Chinese authorities by his friends and relatives in Hong Kong.

Karma Dhorong, a 44 year-old Tibetan hermit of Jodha district in the Autonomous Region of Tibet, was reported to have been arrested in December 1980 in Lhasa for preaching Buddhism. Lobsang Chodag, a worker in a truck repair shop in Lhasa, was reported to have been arrested on 23 April 1980 for putting up a poster. It was alleged that Lobsang Chodag was ill-treated after his arrest. Amnesty International was investigating these and other cases of people reported to be held on political or religious grounds in the Autonomous Region of Tibet.

In early 1982 Amnesty International received further information on the arrests of Roman Catholic priests and laymen in Shanghai on 19 November 1981. It was initially thought that only five priests had been arrested, but later reports indicated that at least 13 priests and laymen had in fact been held. They were believed to have been arrested for religious activities independent of the official Chinese Catholic Church. Statements by Chinese officials indicated that they

were accused of carrying on "counter revolutionary activities under the cloak of religion", which included maintaining contact with the Vatican. By late 1982 they had not been tried and no charges had been made public against them. However, a lay Catholic, Matthew Zhu Lide, was reported to have been assigned to three years' "re-education through labour", a form of detention without trial against which the detainee has no legal recourse.

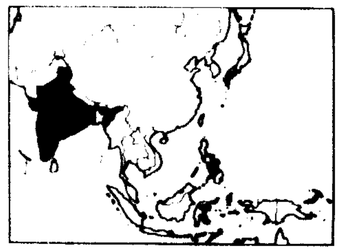
Amnesty International was concerned by the continued use of "re education through labour" as a form of detention without charge or trial (see *Amnesty International Report 1982*). Among new cases of people reported to have been assigned to "re-education through labour" because of their opinions or beliefs were Xue Mingde, an independent painter from Sichuan who in 1980 organized an exhibition of his works in his home in Chengdu, and Tao Sen, a student at Changsha's Teacher Training College who had a leading role in student protests against irregular conduct by the college authorities in local elections. Tao Sen was reported to have been arrested in June 1981 and assigned to "re-education through labour" for three years. Xue Mingde received the same term after his arrest in the second half of 1981.

In September 1982 Amnesty International renewed its appeals for the release of Liu Qing, a co-founder of the unofficial journal *April Fifth Forum* who had been detained since November 1979 for selling the transcript of the trial of another imprisoned editor. Liu Qing was assigned in 1980 to three years of "re-education through labour" and was due for release in November 1982. However, he was reportedly tried in mid-1982 in Beijing and sentenced to seven years' imprisonment for "counter-revolutionary" offences. The trial was neither announced nor acknowledged by official sources and no other details were known. People held without trial for "re-education through labour" may be tried at the end of their term of "re-education", or during it if they are accused of committing a new offence. In Liu Qing's case the reason for his trial was presumed to be a testimony on his arrest and detention which he wrote in the labour camp to which he had been sent. In it he reported having been beaten and held for several months in solitary confinement after his arrest.

Amnesty International remained concerned about the prolonged detention without trial, and often without formal charges, of people held on political grounds. For example, Ren Wanding, the founder of a group called the Chinese Human Rights Alliance, had been detained without trial since 1979. No charges were ever made public against him.

The use of the death penalty remained a major cause for concern. Amnesty International received reports of 76 death sentences passed during the year. Of these, four were pronounced with suspension of execution for two years and 65 were carried out – usually immediately after a "public trial rally" organized to announce the sentences. One of those sentenced to death with a two year reprieve was aged under 18: Yang Junhua was convicted in January 1982 of having planted a bomb in an act of revenge which killed one person and wounded 11.

In October 1982 Amnesty International renewed its appeals against the use of the death penalty in the PRC. It expressed concern about the number of executions during 1982 and the lack of public reporting on what happens when the period of reprieve ends for people who have been sentenced to death with suspension of execution. It urged the authorities to provide information about all cases of suspended death sentences known to Amnesty International which were due to be reviewed between November 1981 and November 1982.



India

Amnesty International's concerns were the use of preventive detention to detain critics of the government, persistent reports of widespread police brutality, torture and deaths in police custody and prisons, continued killings in staged "encounters" of political activists by police and the use of the death penalty.

Amnesty International learned of no official statements on the numbers of people detained in 1982 under the National Security Act (NSA), but received reports that the NSA was being used to detain non-violent critics of the government in several Indian states. Under the NSA wide powers of arrest and detention without trial are given to both the central and state government (see *Amnesty International Report 1981*). The main cause of the increase in detentions was the upsurge in Sikh agitation for autonomy of Punjab state in the second half of 1982. Most of those arrested were held for short periods, usually a few weeks or days. Sikh leaders were detained for organizing what they claimed were peaceful demonstrations for Punjab autonomy before a Sikh campaign of civil disobedience which began on 4 August 1982. Led by the *Akali Dal* party this resulted in a reported 36,737 arrests in 88 days of protests. Police stated that over 1,100 Sikhs were detained in Punjab and Haryana states in the 10 days before 19 November 1982, and in all some 2,500 Sikhs were placed in

preventive detention under the NSA in November and December 1982 by the central, Punjab and Haryana governments. They were released after the Asian Games held in New Delhi from 19 November to 4 December 1982.

The civil disobedience movement against immigrants continued in Assam, with many hundreds of arrests during protests and strikes. Many deaths were reported. President's rule, that is central government administration, was imposed in Assam in March 1982, initially for six months, later extended to one year. At the end of 1982 many Assamese leaders were in detention without charge or trial under the NSA, including Joynath Sarma, arrested on 28 November 1982. It was alleged that Joynath Sarma, Chief Convenor of the All-Assam Students Union Volunteer Force, sustained a fracture to his right hand and other injuries as a result of being beaten by police in detention on 3 December 1982.

In Jammu and Kashmir dozens of people were arrested and charged with making "anti-national" speeches or of belonging to what the Chief Minister Farooq Abdullah termed "communal" and "secessionist" organizations. Detainees were held under the state's Public Safety Act.

Amnesty International was concerned about the use of the Essential Services Maintenance Act 1981, which allows the dismissal and arrest of strikers in a wide range of sectors declared to be "essential services" (see *Amnesty International Report 1981*). In November 1982, at the opening of the Asian Games, the government banned strikes in state-owned TV and radio, and briefly detained over 700 striking TV and radio employees.

On 31 July 1982 the Press Bill (amendments to Section 292 of the Indian Penal Code) was passed in the Bihar Assembly. After a peaceful and silent procession of journalists in Patna on 21 August which had planned to present the Governor of Bihar with a memorandum against the Press Bill, 185 journalists were arrested. Fifteen people were arrested in Tamil Nadu on 31 October 1982 after police broke up a silent march against police excesses by supporters of the People's Union for Civil Liberties (PUCL).

On 15 May 1982 the government replied to Amnesty International's letter of 4 November 1980 which reiterated the concerns expressed in an *aide-mémoire* submitted in April 1980, and urged the government to implement the recommendations of the *aide-mémoire*. Amnesty International specifically asked the government to remove the provisions allowing preventive detention from the constitution. It also expressed concern that the National Security Ordinance (predecessor of the NSA) contravened the International Covenant on Civil and Political Rights, which India had ratified, by allowing prolonged detention

without trial (see *Amnesty International Report 1981*). The reply from the Ministry of External Affairs stated, "In the interests of the security of India, and of certain aspects of essential public interest" the constitution allowed preventive detention.

The government's reply also stated that its policy was "not to tolerate any inhuman treatment of persons under arrest or detention" and that it took "full measures to suppress any such acts of inhumanity or torture and to punish the offenders". However, the government's reply did not comment on any of the specific recommendations submitted by Amnesty International in its *aide memoire* which had also, among other things, argued that there was an urgent need for a permanent, independent body at central government level to investigate allegations of ill-treatment, torture and deaths in police custody.

Amnesty International remained concerned that no effective measures had been taken to prevent police brutality and torture. Hundreds of such cases were publicized by the Indian press in 1982. Bihar, Uttar Pradesh, Madhya Pradesh and West Bengal were states which figured prominently in allegations of ill-treatment by police. Details of torture and sexual abuse of young children in Kanpur Central Jail, Uttar Pradesh, were reported by Kanpur Sessions Judge O. P. Garg, with a recommendation to the Supreme Court of India to intervene urgently on behalf of young prisoners in the jail. Amnesty International wrote to the Chief Minister of Bihar, Dr Jagannath Mishra, on 22 April 1982 to express concern about the alleged torture of Ragho Pandey by police in the East Champaran district of Bihar. Ragho Pandey had been arrested on 25 March 1982 and was reportedly tortured for 72 hours. Amnesty International urged the Bihar state government to establish an impartial investigation.

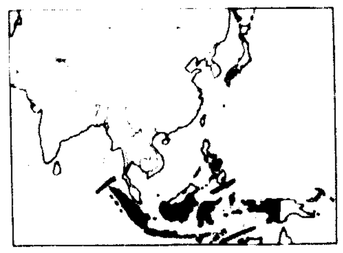
Amnesty International continued to receive reports that suspected members of the Communist Party of India (Marxist-Leninist), known as "Naxalites", were often harshly treated in prisons in many states. On 29 January 1982 the Supreme Court of India directed the state government of Kerala to give immediate medical treatment to a sick prisoner, alleged to be a "Naxalite", held in Central Jail, Trivandrum.

Killings and ill-treatment of suspects by Indian army units and the Central Reserve Police Force in Manipur were reported to Amnesty International. Among them was the case of a 22-year-old man, Hawaiban Kumar, who died in army custody on 12 January 1982, allegedly beaten to death. The Armed Forces Special Powers Act 1958, the effective law in Manipur, excludes legal redress against members of the armed forces, but the Imphal High Court issued a judgment on 10 September 1982 which restricted the powers of the security forces under this act. The court declared that the security

forces could arrest people only if they had committed or were likely to commit an offence, and that custody of a person arrested by the army must be transferred without delay to the police.

Amnesty International was concerned by continued reports from several states of killings of political activists alleged to be Naxalites in alleged "encounters" with the police. In many cases there was evidence that victims had been killed after arrest by the police, often after torture. Detailed investigations into "encounter" killings continued to be carried out by certain Indian newspapers, notably the *Indian Express* and *Sunday*, and by a number of civil liberties organizations within India. In one such investigation the Andhra Pradesh Civil Liberties Committee concluded that two young Naxalites – Ankam Narayana, aged 25, and Vsam Gajender, aged 23 – were not tracked down and killed in an exchange of gunfire as claimed by state police, but were arrested and then killed by police on 27 January 1982. Amnesty International received reports on the death of Kulwant Singh in Punjab state, allegedly killed in an exchange of gunfire by police on the night of 10/11 June 1982. An unofficial inquiry by lawyers in the Punjab stated that Kulwant Singh had been in police custody for some days before 10 June, and that the police version of his death was incompatible with evidence of serious injuries caused by torture and shootings which appeared in the post mortem report.

On 31 January 1982 two men condemned to death for murder – Ranga Kuljit Singh and Billa Jasbir Singh – were hanged in Tihar Jail, Delhi, after the Supreme Court had lifted its order halting executions (see *Amnesty International Report 1982*). Amnesty International had consistently urged that their sentences be commuted. In January 1982 there were reportedly 138 prisoners under sentence of death in India.



Indonesia and East Timor

Amnesty International was concerned about the continued imprisonment of prisoners in connection with the alleged coup of October 1965, some of whom had been in prison for more than 18 years. Amnesty International was particularly concerned at the length of prison terms imposed after unfair trials. Amnesty International was also concerned about the detention, for the most part without trial, of other alleged political opponents of the government including several hundred Muslim detainees and people alleged to be associated with secessionist movements in Irian Jaya. Amnesty International continued to receive reports from the Indonesian-occupied territory of East Timor indicating the detention without trial of increasing numbers of East Timorese and information corroborating earlier reports of arbitrary killings and "disappearances". Amnesty International was concerned about new death sentences imposed and about the uncertain status of people sentenced to death, some of whom had been under sentence of death for many years, including a number sentenced for alleged crimes of a political nature.

Amnesty International believed that there were still approximately 350 people who had been tried for offences related to the alleged coup of October 1965 held in prisons throughout the country. Although Amnesty International learned of the release of a number of such prisoners during the year, it still appeared that government regulations regarding parole and remission were not implemented uniformly. Two Amnesty International adopted prisoners of conscience – Achmad Imron and Suwardiningsih – both originally sentenced to life imprisonment, were released from Palembang prison after almost 17 years on 17 August 1982 after receiving commutation and remission of their sentences. However, another adopted prisoner – Achmad bin Cholik – a 72-year-old former President of the *Barisan Tani Indonesia* (BTI), Indonesian Peasants Front, also detained in Palembang but sentenced to the lesser term of 20 years' imprisonment, was not expected to be released until 1986.

Amnesty International was also concerned that a group of approximately 50 of these prisoners who had been sentenced to death were not able to benefit from the regulations governing remission and parole as long as their death sentences stood, although the government had indicated that it was not intended that political prisoners under

sentence of death should be executed. Amnesty International wrote to President Suharto on 15 January 1982 welcoming reports that the death sentences on two prisoners detained in connection with the alleged 1965 coup – Subandrio and Airforce Commander Omar Dhani – had been commuted to life imprisonment in December 1981 and requested a review of the cases of all those sentenced to death. In response to reports that two alleged members of the *Partai Kommunis Indonesia* (PKI), Indonesian Communist Party – Munir and Ruslan – faced imminent execution, the Jakarta Attorney-General's Office announced in May 1982 that Munir and Ruslan had been told the previous month that their appeals had been rejected by the High Court in November 1981 and had then decided to appeal to the Supreme Court.

A large proportion of prisoners held in connection with the alleged coup of October 1965, many of whom had reached advanced years, were suffering a variety of ailments, in some cases apparently due to poor prison conditions. Conditions in Cipinang prison near Jakarta, where several prisoners under sentence of death were held, were of particular concern. Several prisoners there were reported to have contracted tuberculosis.

Prisoners allegedly involved in the 1965 coup who had been released continued to face both formal and informal restrictions on their civil and political rights. During 1982 government officials stated that such released prisoners who had professional qualifications could resume their professions. However, Amnesty International continued to receive information indicating that qualified people including doctors and lawyers were unable to pursue their professions. Government statements also continued to call for stricter surveillance of released prisoners, more than a hundred of whom were officially stated to be still required to report regularly to the authorities. During the general elections of May 1982 a reported 43,086 released prisoners were not permitted to vote. In the period before the elections, it was officially stated that former PKI members had instigated riots in Yogyakarta, although no evidence for this was ever offered. Jusuf Ishak, earlier held for six years for alleged involvement in the 1965 coup and adopted as a prisoner of conscience by Amnesty International after his rearrest in October 1981, was released on 23 January 1982. He had been rearrested in connection with a seminar addressed by another released prisoner, the novelist Pramoedya Ananta Toer (see *Amnesty International Report 1982*). After his release he was required to report regularly to the authorities.

Amnesty International received further reports that several hundred people allegedly associated with the *Organisasi Papua Merdeka* (OPM), Free Papua Movement, were detained, almost all without

trial. As of June 1982 there were reported to be more than 400 prisoners in Jayapura, Wamena and Fakfak alone. Amnesty International also understood that there were people detained for political reasons in other places in Irian Jaya, including Serui, Manokwari and Biak. Amnesty International continued to work on the cases of six women and one man arrested in August 1980 for allegedly having hoisted the Papuan flag (see *Amnesty International Report 1982*). These prisoners, who were reportedly ill-treated in detention, had still not been brought to trial by the end of 1982. Amnesty International was also concerned about reports that a number of prisoners previously held in the military police prison in Jayapura (POMDAM 17) were transferred in June 1982 to a detention camp in Wamena in the remote highlands south of Jayapura, to which access was difficult for their families.

According to figures received by Amnesty International, there were more than 450 Muslims detained for alleged involvement in armed movements dedicated either to secession, as in the case of the Aceh National Liberation Front (ANLF), or to the creation of an Islamic state. A number of people allegedly dedicated to the goal of an Islamic state, collectively referred to by government officials as *Kommando Jihad*, were brought to trial during the year after up to five years in detention. In August 1982 Amnesty International took up for investigation the cases of 11 Muslims detained in prisons in central Java. It subsequently learned that four of these prisoners had been put on trial in Yogyakarta, charged with subversion and possession of firearms. However, Amnesty International had considerable difficulty in obtaining details of the trials, which were not publicized in the Indonesian press.

Considerable publicity was given to the trials during 1982 of Imran bin Muhammad Zein and his followers, who were accused of a number of violent acts including the hijacking of an Indonesian airliner in March 1981. Imran and two others – Salman Hafidz and Ashar bin Mohamad Syafar – were sentenced to death. Amnesty International appealed to President Suharto to commute their sentences. In February 1982 it was reported that a judicial appeal to President Suharto for clemency for Timsar Zubil, another Muslim activist who had allegedly committed violent crimes in Medan, had been rejected.

Despite official statements of concern for the rights of detainees and the introduction in 1981 of a code of criminal procedure incorporating new safeguards, Amnesty International continued to receive reports of ill-treatment in detention and deaths in custody. Amnesty International received reports of the ill-treatment of Muslim prisoners in Mlaten prison in Semarang and Wirogunan prison in Yogyakarta. Amnesty International was informed that two people arrested following

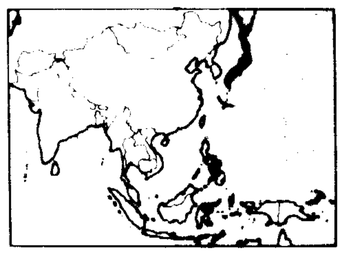
the March 1981 hijacking the father and son Tjut Usman and Zulkarnaen had died in detention either as a result of ill-treatment or of deliberate killing. The case of Haji A. M. Fatwa illustrated the difficulties of gaining redress in cases of alleged ill-treatment. Haji Fatwa wished to bring a civil suit for damages against a number of military personnel including the Minister of Defence and the commander of the security agency KOPKAMTIB after his detention in October 1980 (see *Amnesty International Report 1981*). In the weeks before the opening of the case on 2 November 1982, Haji Fatwa and his five lawyers reported that they had been subjected to various kinds of intimidation. Haji Fatwa complained of an assault by unidentified men on a Jakarta street. The lawyers withdrew from the case stating that the atmosphere surrounding the proceedings was unfavourable to a fair hearing. On 26 November 1982 Amnesty International appealed to the Indonesian Government to protect detainees from torture and ill-treatment and to uphold the right of people so treated to compensation.

The lawyer and former Secretary General of the Indonesian Advocates' Association *Peradin*, (*Persatuan Advokat Indonesia*), Soenardi, was adopted as a prisoner of conscience by Amnesty International after his arrest on 18 April 1982. He had written letters to senior government officials calling for an emergency session of the *Majelis Permusyaratan Rakyat* (MPR), People's Deliberative Council, to investigate President Suharto's possible involvement in the alleged communist coup of October 1965. Soenardi went on trial in August 1982 charged with insulting the President and circulating information which could create disorder and was sentenced to three years four months' imprisonment in October.

Amnesty International continued to received disturbing reports about the situation in East Timor, occupied by Indonesian troops since December 1975. These included further reports of imprisonment and confirmation of earlier reports of "disappearances" and arbitrary killings committed by Indonesian forces. On the basis of these and earlier reports, Amnesty International submitted information to the United Nations in November 1982. Amnesty International received further information about those held on the island of Atauro off East Timor. Statements by the Indonesian authorities indicated that the majority of people held on Atauro were held solely because they were related to people known or suspected to be fighting the Indonesian occupation; and that they would be returned to their homes if their relatives surrendered, were captured or killed. In a submission to the Fourth Committee of the United Nations General Assembly Amnesty International stated that it considered the majority of those held on the island to be virtual hostages for their relatives. Amnesty International

was also concerned that the Indonesian authorities should account fully for detainees reported to have been sent to Atauro before June 1981 who were not included in official statistics. A high proportion of those held on Atauro were old people, women and children, including orphans. Conditions on Atauro, which were reported to be harsh in 1981 (see *Amnesty International Report 1982*), were believed to have improved in 1982, due largely to relief programs undertaken by the International Committee of the Red Cross (ICRC). Despite reports said to emanate from official sources that Atauro prison would be closed, possibly by mid-1982, the number of detainees held there, according to official statistics, increased during 1982 from 2,905 at the time of the ICRC visit in February to 3,352 in May to over 3,800 in December.

Amnesty International continued to receive reports of people held in other prisons in East Timor. In February the Indonesian Government officially acknowledged that political prisoners were being held in Dili District Prison (Cadeia Comarca under the Portuguese, renamed Lembaga Pemaryarakatan Dili). However, the number of prisoners held there appeared to have declined substantially from late 1979 when there were understood to be at least 700 political prisoners held there. Amnesty International received reports of the release of some prisoners from the Dili District Prison and the transfer of others to Atauro. Amnesty International also heard of detainees held without trial in other detention centres throughout the territory as well as of people being sent to the Indonesian islands of Flores, Sumbawa and Bali. Amnesty International urged the Indonesian Government to give the ICRC access to prisons other than Dili District Prison and Atauro.



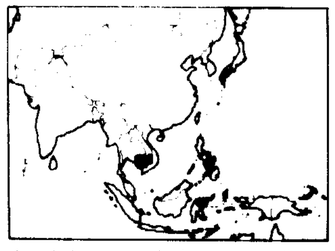
Japan

Amnesty International continued to appeal for the commutation of all death sentences and the abolition of the death penalty.

On 12 March 1982 Amnesty International wrote to the Minister of Justice Michita Sakata about the draft revision of the penal code being prepared by the government for submission to the *Diet* (parliament). Under this draft the number of offences punishable by death would be reduced. In the letter Amnesty International noted that no death sentences had been imposed in recent years for the offences for which the death penalty

would be abolished under the draft; it urged the total abolition of the death penalty and the cessation of executions.

At least 50 prisoners were believed to be under sentence of death for murder; nine had been sentenced by a court of first instance in 1982. The retrials of Sakae Menda, sentenced to death in 1950, and Shigeyoshi Taniguchi, sentenced to death in 1952, continued. It was not known whether any prisoners were executed during the year.



Kampuchea

Amnesty International was concerned about reports of detention without trial of people suspected of anti-government activities. On several occasions in 1982 the authorities of the People's Republic of Kampuchea (PRK) acknowledged detaining people because of their opposition to the government. Few details of individual cases were made available.

Many of those detained were believed to be connected with three groups with bases near the border with Thailand: the Khmer People's National Liberation Front (KPNLF), led by Son Sann; the Moulinaka, led by Norodom Sihanouk; and armed forces of the former government of Democratic Kampuchea (DK), led by *Khmer rouge* leaders including Khieu Samphan and Pol Pot. Although Amnesty International would not consider imprisoned members of these groups to be prisoners of conscience, it was concerned that they should be given a fair trial within a reasonable time. In July 1982 the three groups formed the Coalition Government of Democratic Kampuchea and continued fighting the army of the PRK, which was supported by Vietnamese forces.

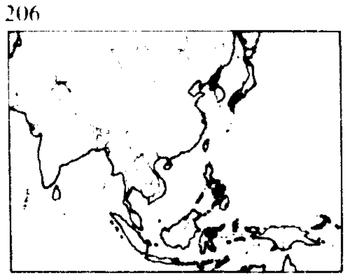
More than 200 prisoners suspected of supporting the KPNLF were reportedly held in the former *Prison centrale*, central prison, in Phnom Penh. Other prisons in Phnom Penh believed to hold political prisoners were those of the municipal police, the Ministry of the Interior and the army. Political prisoners were reportedly also held in provincial and district prisons. People arrested near the border with Thailand and suspected of connections with the anti-communist resistance were said to be sent to a labour camp at Trapeaing Phlong in the eastern part of Kompong Cham province. *Khmer rouge* deserters were reportedly sent to separate prisons and mostly released after three to six months' political "re-education".

Most political detainees were held without trial. The only known cases to have been tried were those of a group called *"Sereika"* (Free Kampuchea) tried in June 1980 and of a group called *"Neak Cheat Niyum"* (The Nationalists) tried in November 1980. Both groups were charged with treason and counter-revolutionary activities including open propaganda against the Vietnamese presence in the country and a plan to take up arms against the government (see *Amnesty International Report 1981*). One of the prisoners in the second group, Botum Bopha, was said to have been kept in detention after serving her two-year prison sentence.

Amnesty International investigated the arrest in late 1982 in Kompong Thom of two people accused of stealing rice for armed opposition groups; Amnesty International received reports that the reason for their detention may have been their participation in unauthorized Christian gatherings. Amnesty International was also concerned about reports that they were tortured to force them to confess. Amnesty International also received details of several cases of people detained without trial for up to two years on suspicion of anti-government activities; some were released after admitting the charges and pledging loyalty to the government.

Amnesty International learned of the release in January 1982 of Theam Sovanneirand, a radio broadcaster said to have been arrested in January 1980 for criticizing the government. Amnesty International had inquired about her situation in a letter to Heng Samrin, Chairman of the State Council, in early December 1981. Amnesty International wrote to Heng Samrin on 8 March 1982 asking for official confirmation of her release. No reply was received.

Amnesty International received reports of the arbitrary killing of 100 civilians by Vietnamese forces in a village in Prey Veng province in mid-August 1982. It was, however, unable to investigate these reports. Later, the Vietnamese authorities denied that the killings had taken place.



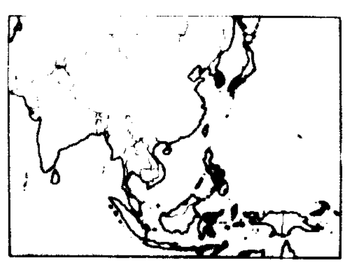
Korea (Democratic People's Republic of)

Amnesty International's work on the Democratic People's Republic of Korea (DPRK) was seriously hampered by the fact that the authorities did not divulge information regarding human rights in the country. No news on arrests, trials or death sentences was published in the international press or in the North Korean news media.

In December 1982 Amnesty International wrote to President Kim Il-sung seeking information on legislation in the DPRK and on the use of the death penalty. Amnesty International expressed concern about reports that a number of former prominent political figures had been imprisoned for up to 12 years. Pak Kum-chol, former Secretary General of the Korean Workers Party Central Committee Secretariat, was reportedly detained in 1969; Kim Chang-bong, former Deputy Prime Minister and Minister of Defence, was also reportedly detained in 1969; Ryu Chang-shik, former alternate member of the Politburo and Secretary of the Central Committee of the Korean Workers Party, was reportedly arrested in October 1975; and Li Yong-mu, formerly a member of the Politburo of the Korean Workers Party, was reportedly arrested in October 1977. Amnesty International asked the President for information regarding these reports.

It is most unusual for citizens of the DPRK to leave the country legally or illegally. Since September 1970 only 11 have arrived in South Korea (the Republic of Korea) after leaving the DPRK illegally, and there are few reports of their reaching other countries. Two people who had recently fled to South Korea appeared at a news conference in Seoul in April 1982 and alleged that more than 100,000 people were held in "re-education" camps in the DPRK. Few precise details were given and Amnesty International was not in a position to verify these allegations.

Reports continued to reach Amnesty International in 1982 from sources in Japan of arrests of people opposed to the growing political influence of President Kim Il-sung's son, Kim Chong-il, but again it proved impossible to obtain detailed information of these arrests or about the individuals involved.



Korea (Republic of)

Amnesty International remained concerned about the detention of prisoners of conscience, reports of torture and the use of the death penalty. 1982 saw the release under successive presidential amnesties of the remaining 15 prisoners in the People's Revolutionary Party case of 1974, of most of the people arrested in 1980 for violations of martial law regulations, and of opposition leader Kim Dae-jung and his co-defendants. Amnesty International was concerned, however, that at least 150 students were prosecuted under the Law on Assemblies and Demonstrations (LAD) for taking part in non-violent demonstrations criticizing the government or for distributing leaflets containing their criticisms. It was also concerned that a number of community and trade union activists arrested in 1981 on charges of anti-state or pro-communist activities were convicted, in many cases in spite of their claims that evidence was obtained from them under torture. It was further concerned by the first known executions since 1975 of people convicted of political offences.

On 22 January 1982 Lee Tae-bok, the president of a small publishing firm, was sentenced to life imprisonment on charges under the National Security Law (NSL) of trying to incite a revolution and establish a socialist government. He was accused of organizing students' and workers' leagues to further his aim (through anti-government demonstrations and strikes) and of publishing books which the prosecution said called for class struggle (see *Amnesty International Report 1982*). Lee Tae-bok admitted trying to inform workers about their rights. In court, he and his 25 co-defendants testified that they were tortured into admitting the charges. One of his co-defendants was acquitted; the others received prison terms of one to 10 years, suspended in one case. Amnesty International adopted Lee Tae-bok and his co-defendants as prisoners of conscience. It received no reply to its calls for the authorities to investigate the claims of torture and to make the results of the investigation public. On 22 May 1982 an appeal court confirmed the life sentence on Lee Tae-bok, reduced the prison terms on the others to between seven years and 10 months and suspended the sentences on four people. On 15 September 1982 the Supreme Court confirmed the sentences. Six of the prisoners, all students serving one-and-a-half to two years, had their sentences suspended under the presidential amnesty of 24 December 1982.

On 13 February 1982 an appeal court confirmed a sentence of

seven years on Lee Kyu-ho and of two-and-a-half years on Park Jae-soon, arrested in March 1981 and convicted on 10 October 1981 on charges under the NSL of anti-state activities within the Hanool Bible study group in Taejon (see *Amnesty International Report 1982*). Another member of the group, Kim Jong-saeng, a militiaman, was sentenced to five years' imprisonment by a military tribunal on the same charges. Amnesty International continued to appeal for their release.

On 23 February 1982, 16 people tried in the Pusan Good Books Association case, whom Amnesty International had adopted as prisoners of conscience, were sentenced to between two and seven years' imprisonment, with suspended sentences for two of them. They included Lee Sang-nok, a university graduate working in a factory, and Koh Ho-suk, a high school teacher, (who both received seven year terms) and other teachers, students and workers. They were said to have met to discuss social and political issues and to have organized study groups to help workers understand their rights. They were arrested without warrant between June and August 1981 and held incommunicado until September 1981. They were charged under the NSL with activities aimed at bringing about a communist society. At the first trial, the prosecution denied the defendants' claims that they had been tortured. In their appeals against the convictions, the defendants said they had been tortured by the police until they confessed to being communists. On 26 June 1982 an appeal court reduced the sentences by six months or one year, suspending the sentence on one defendant. The Supreme Court confirmed the sentences on 27 October 1982. Amnesty International learned of no independent investigation into the torture claims.

On 18 March 1982 there was an arson attack on the United States Cultural Centre in Pusan. One person was killed and two others were injured. Leaflets found nearby criticized the US Government for its support of President Chun Doo-hwan and called on it to withdraw its troops from South Korea. Twenty-two people were arrested, and were indicted on 29 April. Ten of them were charged under the NSL with either planning, taking part in or conspiring in the arson attack, in an attempt to overthrow the government and replace it with a socialist state. The others were charged with harbouring or assisting some of the defendants to evade arrest. The prosecuting authorities later suspended the charges against six of the latter group. The trial of the 16 started on 14 June 1982. Although a government spokesman had reportedly given assurances shortly after the arrests that there would be no torture, some of the defendants stated in court that they had been tortured into admitting the charges. On 11 August 1982 two defendants – Moon Pu-shik and Kim Hyong-jang – were sentenced to death; two, to life imprisonment; the others to between two and 15 years, and two received suspended sentences. On 13 December 1982 an appeal court confirmed the death sentences and reduced or confirmed some other sentences. Amnesty International urged the authorities to investigate the claims of torture and commute the death sentences on Moon Pu-shik and Kim Hyong-jang.

Amnesty International also took up the cases of several clergymen. The Reverends Koh Yong-kun and Kim Kyong-shik and Kim Young-jin, head of the Korea Ecumenical Youth Council, were arrested after a memorial service in Kwangju on 18 May 1982 for those who died in the disturbances in that city two years before (see *Amnesty International Report 1981*). The two clergymen reportedly called on President Chun Doo-hwan to take responsibility for the deaths and resign. The Reverend Koh Yong-kun was released on 25 May 1982. The two others were charged under the LAD and were sentenced on 24 June to eight and 10 months' imprisonment respectively.

Amnesty International also called for the release of Lee Tae-hi, Park Young-son and Cho Sang-hi, trade unionists at Korea Control Data, a computer parts assembly plant in Seoul, arrested on 10 July 1982. They were among a group of about 50 who held a sit-in in the Ministry of Labour after having been refused an appointment with government officials to discuss the closure of their factory. They were charged under the LAD. On 23 November 1982 Cho Sang-hi was sentenced to one year's imprisonment; the two others received sentences of 18 months.

On 30 July 1982 Kim Chol-ki, aged 26, the secretary of the Korea Ecumenical Youth Council, was arrested under Article 104(2) of the criminal code on charges of defaming the state. On 23 July he had distributed a statement to the press, including foreign journalists, which reportedly criticized the government's stand during the labour dispute about the closure of Korea Control Data and called for the release of the three trade unionists. On 21 October Kim Chol-ki was sentenced to 18 months' imprisonment. Amnesty International adopted him as a prisoner of conscience.

Amnesty International continued to appeal for the release of Soh Sung, sentenced to life imprisonment, and of his brother Soh Joon-shik, held in preventive custody under the Public Security Law since the expiry of his sentence in 1978. Both were arrested in 1971 because of their involvement in student demonstrations during the presidential elections. A new two-year custody order was imposed on Soh Joon-shik on 27 May 1982. For the first time, he was allowed to file a lawsuit challenging the order. Hearings started in June 1982. Amnesty International urged the authorities to cancel the detention order on Soh Joon-shik.

Amnesty International made a special appeal for the release of Im Tong-kyu, arrested in 1979 and serving life imprisonment for alleged membership of two "anti-state" organizations. Amnesty International believed that he was detained because of his work with agricultural cooperatives.

Amnesty International welcomed successive presidential amnesties benefiting prisoners of conscience. Two co-defendants of Kim Dae-jung – Kim Chong-won and Ye Choon-ho – (see *Amnesty International Report 1981*) had their sentences suspended in the 3 March 1982 amnesty. Also released then were eight prisoners of conscience arrested in 1974 in the People's Revolutionary Party (PRP) case. Other prisoners of conscience had their sentences reduced; they included Kim Dae-jung and 10 of his co-defendants, Chung Dong-nyon, and the seven remaining prisoners in the PRP case. Choi Chul-kyo, Kang Jong-hon, Paik Ok-kwan, Kang Woo-kyu and Chin Tu-hyon, whom Amnesty International had adopted as prisoners of conscience (see *Amnesty International Report 1982*), had their death sentences commuted to life imprisonment.

Koh Eun, Kim Sang-hyun and Lee Sok-pyo, tried with Kim Dae-jung in August 1980 (see *Amnesty International Report 1981*) were released in the amnesty on 15 August 1982. Also released were Lee Oo-jae, arrested in the Korea Christian Academy case (see *Amnesty International Report 1980*) and Chi Chong-hwan, a press photographer arrested in 1979. They had all been adopted as prisoners of conscience.

Kim Dae-jung and the remaining prisoners in his case had their sentences suspended in the amnesty of 24 December 1982. Also given conditional release were Chung Dong-nyon and 11 others detained after the Kwangju disturbances of May 1980; the seven remaining prisoners in the PRP case; three students arrested after non-violent demonstrations in May 1980, including prisoner of conscience Cho Tae-won (see *Amnesty International Report 1981*); and six students tried with Lee Tae-bok.

There were persistent reports of the use of torture during police investigation, especially of detainees held under the NSL. Claims of torture in the Lee Tae-bok, Pusan Good Books Association and Pusan arson cases alleged prolonged immersion in water, severe beatings, sometimes by several people at once, being tied up inside coffins, electric shocks, threats of execution and the torture called "roast chicken" where a prisoner whose hands and feet are tied to a rod is swung in mid-air and beaten.

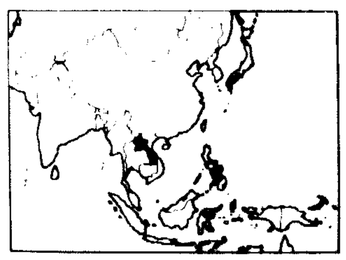
On 14 October 1982 Amnesty International urged Minister of Justice Bae Myung-in to investigate the death, two days earlier, of Park Kwan-hyong, a former student leader, while on hunger-strike in

protest against prison brutality. Amnesty International received reports that he had been beaten and had water forcibly poured down his throat. On 20 October 1982 the Minister of Justice denied before the National Assembly that Park Kwan hyong had been beaten or that the hunger-strike had directly caused his death. No details of the government's investigation were available; shortly afterwards, however, the prison warder was transferred.

On 12 October 1982 Minister of Home Affairs Roh Tae-woo outlined in the National Assembly several measures to ensure that police officers respected all legal provisions related to the detention and interrogation of suspects.

Amnesty International appealed for several prisoners to be given adequate medical care. Lee Shim-bom and Cho Sung-oo, arrested in May 1980 and tried with Kim Dae-jung, were reportedly receiving only minimal medical attention for spinal lesions caused by beatings during interrogation. Choi Sok-jin, sentenced to life imprisonment in the South Korea National Liberation Front (SKNLF) case of 1979 and an Amnesty International adopted prisoner of conscience, was said to have suffered fractures of the vertebrae and ankle during interrogation and to be suffering also from a kidney disease.

Amnesty International communicated its concern to President Chun Doo-hwan about the reported execution of four criminal offenders on 22 July 1982 and of six other prisoners on 8 October 1982. In the latter group was Shin Hyang-shik, sentenced in the SKNLF case, and Kim Tae-yul, who was sentenced to death in 1975 for alleged espionage but whom Amnesty International believed could have been a prisoner of conscience. On several occasions Amnesty International wrote to the President urging him to commute all death sentences.



Laos

Amnesty International remained concerned about the continued detention in "re-education" camps of large numbers of people detained since 1975 for their political activities or positions under the former government, and by the lack of legal safeguards for people detained on political grounds. It was also concerned by reports that some political prisoners had been taken away from camps and were alleged to have been executed. Most political detainees in "re-education" camps had been detained for

over seven years without charge or trial. The releases from such camps which had started in late 1980 appeared to have nearly stopped by the end of 1981 and Amnesty International learned of very few individual releases during 1982.

Despite statements made in 1979 by the Prime Minister, Kaysone Phomvihane, on the need to promulgate "laws on the people's fundamental rights, interests and responsibilities" and to publicize them "extensively", the country remained without a constitution or any published legislation seven years after the establishment of the new government. In a report dated 11 March 1982 by the United Nations Secretary General the Lao Government was cited as having given the following justification for detention without trial in "re-education" camps:

> "The government emphasizes above all the educational character of punishment for the purposes of preparing the offender for re integration into society, rather than its purely punitive nature. Depending on the degree of gravity of the offence, instead of being sentenced to punishments involving the loss of freedom such as imprisonment or confinement, offenders are placed in re-education centres or state farms where they engage in productive activity both to the benefit of themselves and of society."

Amnesty International groups continued to work on behalf of over 50 political detainees who were adopted as prisoners of conscience or whose cases were being investigated. Most were former civil and military officials and professional people held without trial since the change of government which marked the end of the "neutralist" coalition in Laos in 1975. The highest ranking civil servants and military officers were sent to "re-education" camps in northeast Laos, particularly in Houa Phan province. Among those adopted as prisoners of conscience by Amnesty International were Khamking Souvanlasy, former Director of Education in the Ministry of Education, and Phak Savanh, former Director General in the Ministry of Education.

New cases came to Amnesty International's attention during 1982. They included: Chouang Chanh Angnamany, a former army colonel from Savannakhet held in a camp of the Viengsay area since 1975, who was reported to suffer from malaria and anaemia; Khamphan Pradith, a former civil servant held in Camp 05 whose health was said to have seriously declined due to malnutrition; and Souvanny Phomphakdy, a former police general held in Camp 05 who was reported to be in poor health, suffering from head and

stomach aches, rheumatism, kidney stones and an elbow injury caused by an accident.

Amnesty International received reports from former prisoners about conditions of detention in several "re education" camps. These included reports that several groups of detainees from Camp 05 in Houa Phan province had been "arrested" in the camp in 1977 and "taken away", allegedly to be executed. Amnesty International received the names of 26 detainees of Camp 05 alleged to have "disappeared" in such circumstances. They were all high-ranking civilian and military officials of the former government who had been detained since 1975. They included Liem Pravongviengham, formerly Ambassador in Peking, who had returned to Vientiane in 1975 in order to prepare for his next posting in Washington; Khamchanh Pradith, also a diplomat and former Ambassador in Australia from 1972 to 1975; Pheng Phongsavan, a former politician aged 70 in 1977, who was Minister of the Interior before 1975; Touby Lyfoung, aged about 60, a former leader of the Hmongs ethnic group and Secretary of State for Post and Telecommunications before 1975; and General Bounleut Samchanh, former Secretary of State for National Defense and Commander in Chief of the Lao Royal Army. Other military officers reported to have "disappeared" in this group include former generals Ouane Ratikoun, Bounchanh Savadphaiphane and Rattanabanleung Choulamountry.

The circumstances in which they were allegedly executed remained unknown. According to information received by Amnesty International, camp officials told prisoners in Camp 05 that the 26 had been arrested because they were planning a "revolt" in the camp. It was also reported that most of the families of the detainees in this group were told by local officials in 1980 or 1981 that the detainees were dead. In several individual cases known to Amnesty International, the families had received no news from the detainees since 1977, whereas detainees in the camps were usually able to communicate by mail with their families at relatively frequent – though irregular – intervals.

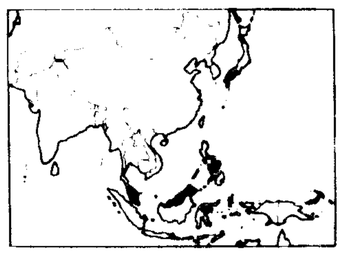
On 26 August 1982 Amnesty International wrote to Prime Minister Kaysone Phomvihane expressing concern about these allegations. It submitted a list of the 26 people from Camp 05 allegedly executed and of six other people reported to have been summarily shot after alleged attempts to escape from Camp 04 and Camp 05. The latter included Ly Tek Ly Nhia Vu, former Director of Administrative Affairs in the Ministry of the Interior, Khamtou Sackda, former civil servant in the Ministry of Finance and a parliamentarian, and his brother Kampha Sackda, former Director of Customs. Amnesty International also submitted the names of 35 people alleged to have died of disease in four camps in northeast Laos.

Most were former military or police officers. Amnesty International urged the government to disclose the situation of all those named. No such information had been revealed by the end of 1982.

In its letter Amnesty International also referred to reports by former prisoners that the total number "arrested" in Camp 05 in 1977 and 1978 who had since "disappeared" was about 100. According to some reports deaths due to illness and execution had also occurred in other camps in various parts of the country. These reports generally indicated that conditions varied substantially in different camps. General conditions were reported to be fairly adequate in Camp 03 in Viengsay, whereas in other places food and medical care were described as grossly insufficient and in some camps prisoners were reportedly punished harshly.

In mid 1982 Amnesty International received reports claiming that Camp 05 in Houa Phan province had been made an "open" camp where prisoners were living in restricted freedom, being allowed to move around the camp but forbidden to leave the area. No further information was received about this.

In 1982 Amnesty International learned of few individual releases. Most reports concerned people freed in 1981 or earlier. Among them were six medical students detained since 1976 who had been adopted as prisoners of conscience by Amnesty International. They were reportedly held in a "re-education" camp at Phou Leng, Phou Khoune, near Phounesavanh in Xiengkhouang province, until early 1981. Five of them, Keovilaysack, Bounlay, Sa, Khili and Prasongsith Boupha, were reported to have returned to Vientiane.



Malaysia

Prisoners of conscience were released at a growing rate during 1982. However, Amnesty International remained concerned about the continued detention without trial of about 300 Malaysians under the Internal Security Act (ISA) 1960. Also of concern were the number of executions carried out and the increased use of the death penalty to punish drug trafficking offences.

Amnesty International continued to work on behalf of 40 actual or possible prisoners of conscience. Seventeen of these were reported to have been released during the year. They were held under the ISA, which permits the detention without charge or trial for renewable two-

year periods of people whom the government considers a threat to national security. Among the prisoners of conscience whose release Amnesty International sought was Ng Wei Siong, a former secretary in the Labour Party and town councillor in Keluang, Johore, who was arrested on 31 July 1967 and detained since then without trial. He was first detained in Batu Gajah Camp, then in a detention centre in Johore, and was later transferred to a police station in Kuala Lumpur where he was still believed to be held in 1982. Amnesty International was also concerned about Wong Yong Huat, a former college student who was arrested in 1972 after he had started working on a rubber estate. He had been held in solitary confinement at Batu Gajah since 1977 and his health was reported to have deteriorated as a result.

According to official figures, 168 ISA detainees were released between July 1981 – when a new government came to power – and February 1982, and over 100 more during the rest of 1982; in February 1982 the number of remaining ISA detainees was 444.

In January 1982 two trade unionists – S. Nada Rajah and S. Thurairatnam – who had been detained for 11 years without trial, were released from Batu Gajah Detention Camp, 90 miles north of the capital Kuala Lumpur. The two men were released conditionally: they were served with restriction orders prohibiting them from political or trade union activities. However, they did not have to recant or make a public confession before release, which political prisoners released previously had been required to do (see ***Amnesty International Report 1982***). Upon his release S. Nada Rajah held a news conference in which he called upon the government to try detainees in Batu Gajah Camp who had been held for more than 10 years without trial and to improve detention conditions there. He had spent the last four years of his detention in solitary confinement, under regulations introduced in 1977 at Batu Gajah Camp which provide for detainees to be kept in individual cells for a minimum of 21 hours a day. He said that this practice "demoralizes the detainees and has disastrous and irreparable mental and physical effects". About 60 political prisoners were still being held in solitary confinement under these regulations at Batu Gajah Camp in January 1982.

In April several prisoners of conscience adopted by Amnesty International were freed, and 47 more ISA detainees were released on 31 August 1982, Malaysia's 25th anniversary of independence from Britain. They included: Tan Hock Hin, a former Assistant Secretary General of the now defunct Malaysian Labour Party and previously a member of the Penang State Assembly, who had been arrested in July 1968; Tong Hock See, 33 years old, a former Labour Party member arrested in April 1971; Ong Loong Sheng, 39 years old, a trade union organizer arrested in 1967; Eng Kwee Ba, aged 40, a manual worker

held since June 1968; and Lau Yam Chou, 38 years old, a former teacher arrested in December 1968. Tan Hock Hin's release was unconditional but most other releases were believed to have been conditional. He had been kept in solitary confinement at Batu Gajah Camp for the previous five years and said on his release that prisoners at the camp were initially kept in isolation cells for 24 hours a day but were later allowed to mix with other prisoners for three hours a day for exercise and baths.

On 5 February the Deputy Prime Minister, Datuk Musa Hitam, announced that in response to the repeated appeals from "foreign individuals or groups", all ISA detainees held without trial could be released if they were "adopted" by people or groups abroad and left the country. However, they would have to renounce their Malaysian citizenship and would not be permitted to return to Malaysia. Amnesty International wrote to Datuk Musa Hitam on 18 February 1982 welcoming the releases which had taken place in previous months and explaining its position on the announcement. As a matter of principle people detained under the ISA for the non-violent exercise of their rights should be released and permitted to reside in their own country, and should not be confronted with the choice of continued detention or exile. Amnesty International urged the government to review the cases of all remaining ISA detainees and release all prisoners of conscience.

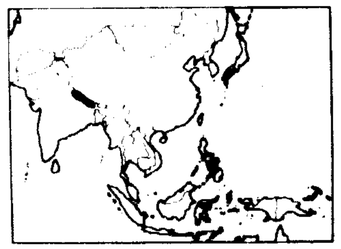
Amnesty International's concerns were raised again in a letter dated 23 June 1982 to Prime Minister Mahathir Mohamed. Amnesty International welcomed statements by the Prime Minister and other officials on the government's intention to continue releasing detainees, but expressed concern about other statements indicating that some long-term detainees might never be considered for release on the grounds that they might in future constitute a threat to the "national interests" of Malaysia. Amnesty International noted that the ISA had been in force for over 20 years without being reviewed and urged the government to consider such a review. It also expressed its readiness to discuss these matters directly with the government. The government accepted Amnesty International's request to send a delegation there, although no date had been fixed by the end of 1982.

By mid-1982 the majority of political prisoners still held under the ISA were detained in the Taiping Kamunting Camp. In July Amnesty International was informed that about 200 were in Taiping Camp, approximately 65 in Batu Gajah and over 110 in police stations throughout the country. The reasons for detention in police stations were unclear, and some detainees appeared to have spent an unusual amount of time in them. Chan Wai Sai, a woman arrested in October 1979, was reported to have been first held in Kuala Lumpur police

headquarters until January 1980, then in a police station on Jalan Bandar (High Street) in Kuala Lumpur until May 1980, then again at the police headquarters until August 1980, when she was transferred again to the Jalan Bandar police station. She stayed there until July 1981 and was then reportedly transferred to a rehabilitation centre in Kuala Lumpur. She was reported to have been held in solitary confinement for the whole period.

At least 14 people were known to have been executed in 1982, mainly for drug trafficking offences. Some press reports put the total number of executions for drug offences at 23. Statements from officials generally indicated a hardening of attitude towards people convicted of drug trafficking.

Others were sentenced to death under the ISA for firearms offences. Section 59 of the ISA provides the mandatory death penalty for illegal possession of firearms. One subject of Amnesty International appeals was Lim Kwang Yeow, aged 24, who, after his arrest in 1977, was held in preventive detention for over two years before being charged with possession of firearms (reportedly one bullet and several bullet cases). He was sentenced to death for this in October 1980. Another, Tan Chay Wa, was convicted on similar charges and sentenced to death in January 1981. Chiow Thiam Guan was also held for over two years in preventive detention before being charged with possession of hand grenades and sentenced to death in June 1981. These three prisoners and two others sentenced to death were granted a stay of execution in July 1982, when their defence lawyers challenged the constitutionality of the mandatory death sentence passed under the ISA. However, their appeal was dismissed by the Federal Court in September 1982.

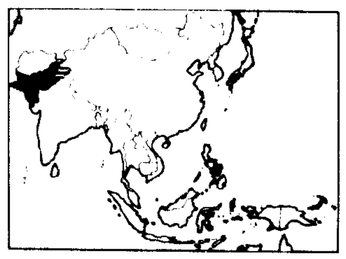


Nepal

Amnesty International continued to be concerned about the imprisonment, often without trial, of political opponents of the government. Amnesty International received reports of arrests of workers, students, professionals and political leaders throughout the year. Most appeared to have been held under the Public Security Act (PSA), which allows preventive detention under renewable nine-month detention orders for up to a maximum of three years. Political activity is severely restricted under the "partyless" *panchayat* system by which Nepal is governed. Other legislation

reported to have been used against people engaged in political activity were the Treason (Crime and Punishment) Act (the Raj Kaj Act), the Organizations and Associations (Control) Act, the Press and Publication Act and the Contributions Act.

In August 1982 the Home Minister told the *National Panchayat* (national assembly) that 49 people, including 22 students, were being held at that time under the PSA. It was understood that most people held under the PSA were detained for relatively short periods and that the total number detained under the PSA during the year was far higher. The total number of students alone who were reported to have been arrested during the year was over 200, the majority being members of the left-wing All-Nepal National Independent Students Union (ANNISU). Around 150 members of ANNISU were arrested in March at the time of the union's sixth annual congress, a number of whom subsequently claimed that they had been tortured while in detention. In addition, an unknown number of people arrested in the period around the national assembly elections of May 1981 remained in detention under the PSA, some without trial. Among them was Durga Pokhrel, a journalist and former university lecturer, whose case had been taken up for investigation after her arrest under the PSA in June 1981. Amnesty International adopted Durga Pokhrel as a prisoner of conscience in March 1982 after her detention order had been renewed. She was released on 14 April 1982.



Pakistan

Amnesty International's concerns continued to be the arrest and imprisonment of large numbers of people for peacefully exercising their right to freedom of opinion, the trial of civilians before military courts with inadequate legal safeguards and the further erosion of standards to ensure a fair trial, and persistent reports of ill-treatment and torture of political detainees. Amnesty International was also concerned about the high number of death sentences imposed by courts in Pakistan and the extension of the range of offences carrying the death penalty in law, as well as the imposition of cruel, inhuman and degrading punishments on people convicted of political and other offences.

On 13 January 1982 Amnesty International published *Pakistan: Human Rights Violations and the Decline of the Rule of Law*, a report documenting a deterioration in human rights standards in Pakistan. The report stated that arbitrary imprisonment, torture and executions of political prisoners had increased in Pakistan, and that the erosion of the powers of civilian courts under military rule had become serious in 1981 (see *Amnesty International Report 1982*).

On 13 January 1982 the Pakistan Government responded by stating that most of the allegations in the report were based on "hearsay" or "unreliable" evidence. It rejected Amnesty International's findings that mass arrests and systematic torture were used against political opponents. However, the government did not reply in detail to the specific findings in the report and did not allay Amnesty International's concerns.

Peaceful opposition to the government and criticism of its policies were met with widespread arrests in 1982. Among those detained were lawyers, journalists, trade unionists, doctors, teachers and students. Many acts of anti-government violence also occurred during the year. The military government claimed that those arrested had organized violence, often alleging that they were members of the opposition organization *Al-Zulfikar*, based in Afghanistan and allegedly led by two sons of the executed Prime Minister, Zulfikar Ali Bhutto. Amnesty International believed, however, that many of those arrested had been engaged in non-violent opposition activities.

Amnesty International believed that over 3,000 people were arrested in the country as a whole in the two weeks from 25 February 1982. Many of those arrested were members of opposition political parties officially described as "criminal anti-social elements". Some 40 members of the banned National Democratic Party were arrested after demonstrations in March 1982, the first in Pakistan since October 1979 when the military government banned political activities. They were released after several days. Rallies of striking teachers and doctors took place in Peshawar and Lahore in March. The rallies were broken up by police charges and many participants arrested. They were held in detention for some hours or days. In a rally in Lahore on 18 March 1982, in which school teachers criticized the government's policy of reforms of an "Islamic" nature, over 100 teachers were arrested.

During the wave of arrests from August to September 1982 which followed acts of violence including the killing of a member of the Federal Advisory Council, many hundreds of political workers of Pakistan's banned political parties were detained, including a number whom Amnesty International believed were held for their non-violent political activities. On 12 October 1982 the Minister of the Interior stated that the government had arrested 650 people suspected of "terrorist activities" and that 22 had been sentenced by the courts. No further details were given.

A number of lawyers were arrested for criticizing and refusing to submit to the Legal Practitioners (Amendment) Ordinance, passed on 15 July 1982. The ordinance prohibited Bar Association and Bar Council members from "indulging in any political activity, directly or indirectly". The Lahore Bar Association reported that 15 lawyers were detained in Punjab on 24 August 1982. The All Pakistan Lawyers Convention in Lahore on 7 October 1982 was immediately followed by the arrest, trial and sentencing by a Summary Military Court to one year's imprisonment of two lawyers – Mian Sher Alam and Iftikhar Hussain Gillani – on charges of making "objectionable" speeches and indulging in political activity. The two lawyers had organized the convention, attended by some 2,000 Pakistani lawyers, which became a focus for criticism of the military government and demands for restoration of civil liberties. Amnesty International adopted the two lawyers as prisoners of conscience. Two more lawyers were arrested on 24 October 1982 – Abdul Hafeez Lakho and Abdul Malik – respectively President and Joint Secretary of the Karachi Bar Association. They were sentenced to one year's imprisonment and Amnesty International adopted them as prisoners of conscience. The four lawyers were released from Karachi Central Jail at the end of December 1982 when the authorities commuted the remainder of their sentences.

Hundreds of students were arrested in 1982 in Lahore, Karachi and other towns, for protesting peacefully against policies of the military government. Amnesty International learned of students held in prison for many months without being charged or tried under preventive detention laws.

Several non-violent demonstrators were arrested in Azad Kashmir (the part of Kashmir administered by Pakistan, in which martial law does not apply and political parties are not banned). The arrests followed demonstrations calling for free elections and non-payment of taxes, organized by an alliance of Azad Kashmir political parties. Of those arrested, many were reportedly detained without charge. On 10 September 1982 Amnesty International urged President Zia-ul-Haq to release immediately arrested politicians including the former presidents of Azad Kashmir, Sardar Mohammad Ibrahim and Abdul Qayyum. Some 800 demonstrators against army rule were reportedly detained for a short period in Azad Kashmir in December 1982.

Among the prominent politicians arrested for non-violent political activities during 1982 was 92-year-old Pkhtoon leader Khan Abdul Ghaffar Khan. On 30 October 1982 he was placed under house arrest for "participating in political activities". A dozen members of the Movement for the Restoration of Democracy were detained for a month under preventive detention legislation when President Zia-ul

Haq visited the United States of America. In the absence of official statistics about arrests and releases of political prisoners, Amnesty International could not give a precise estimate of their number. However, it believed that there were several hundred political prisoners in Pakistan at the end of 1982, many of them prisoners of conscience, held for the non-violent exercise of their human rights.

At the end of 1982 Amnesty International was working for the release of 46 prisoners of conscience and investigating the cases of 11 possible prisoners of conscience. Amnesty International was concerned about the continued detention of a number of prisoners of conscience after the expiry of their sentences. Among these were Irshad Rao, who should have been released in August 1982; Zamin Shah and Abdus Salim, who should have been released in May 1982; and Rasul Baksh Palejo, due to be released in October 1980. Amnesty International received reports that Irshad Rao and Rasul Baksh Palejo were ill in prison, and not receiving the necessary medical attention. Among prisoners of conscience released in 1982 were Ehsanullah Khan (released 23 December), and Mairaj Mohammad Khan, who was released on 11 March and rearrested twice before being released again on 5 December 1982. Besides those in prison, a number of prominent politicians remained under house arrest.

Many prisoners who had been tried in Pakistan before military courts were denied a fair and open trial according to international standards. Civilians were regularly tried for political offences before military courts under martial law regulations, without the right of appeal to the High Courts or other civil courts. In November 1982 three students were sentenced by a Special Military Court in Hyderabad, Sind, to seven years' imprisonment and 10 lashes under Martial Law Regulation No. 4 for possession of subversive literature. They were Imdad Hussain Chandio, Sher Mohammad Mangrio and Mohammad Khan Solangi, who had been detained since March 1981. Amnesty International adopted them as prisoners of conscience.

A new Martial Law Regulation, No. 53 of 27 September 1982, placed the burden of proof on the defendant instead of on the prosecution. Military courts were instructed to presume the guilt of the accused on the basis of police or other investigation alone, unless the contrary was proved by the accused. This martial law regulation, broadly defined to cover a wide range of offences connected to terrorism, carried the death penalty as maximum sentence. Amnesty International was concerned about the drastic extension of the use of the death penalty in Pakistan under this martial law regulation, and under Martial Law Regulation No. 54, both of which were retroactive to 5 July 1977.

Martial Law Regulation No. 53 of 27 September 1982 established

death as the maximum punishment for acts of sabotage or terrorism causing damage to property, as well as for a wide range of offences "likely to cause insecurity, fear or despondency among the public". The death penalty could also be imposed for aiding such offences, or for failing to give information about them to the martial law authorities. Martial Law Regulation No. 54 states that "Failure to give information would render him liable for action under this law which carries the maximum penalty of death". Failing to report relevant information about "lawless elements" (a term broadly defined to include "any dacoit [bandit], robber, terrorist, proclaimed offender" or other person) can be punished with death. Amnesty International urged President Zia-ul-Haq on 4 October 1982 to reconsider this drastic extension of the death penalty.

Many death sentences were passed by military and other courts in Pakistan. No official statistics were given by the government on executions, few cases were reported in the press, and Amnesty International was not in a position to estimate the number of executions in Pakistan during the year. However, in December 1982 alone 20 executions were reported. During 1982 Amnesty International appealed on behalf of 25 prisoners sentenced to death by military and civil courts.

Amnesty International continued to receive detailed accounts of beatings and torture of prisoners detained in prisons and police stations. Among methods reported to Amnesty International were: beatings with rubber shoes, clubs and sticks; being hung upside down by a rope; deprivation of sleep; burning and pulling of hairs; and electric shocks. On 12 May 1982 Amnesty International cabled the Minister of the Interior and the Governor of Punjab province to express concern about reports of torture (including beatings and burning with cigarettes) during the interrogation of Mohammad Ejaz Bhatti, a student and member of the People's Party of Pakistan (PPP), who was arrested in December 1981. Amnesty International urged an immediate investigation of reports concerning this prisoner, and asked for assurances that he would be given medical treatment and not subjected to further ill-treatment.

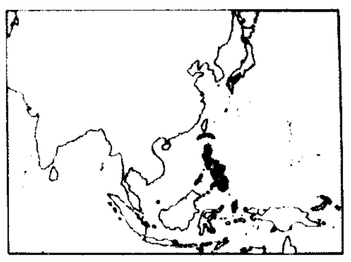
Military courts frequently ordered political and other prisoners to be flogged. Six people were arrested in March or April 1981 in connection with the publication of a pamphlet entitled *Awam Dost* (The People's Friend), which supported the banned PPP. They were adopted by Amnesty International as prisoners of conscience. The six men were convicted on 17 October 1982 before a Special Military Court in Lahore, under Martial Law Regulation No. 33. Two – Sheikh Sohail Ahmed and Shoaib Mir – received the maximum sentence of seven years' imprisonment and 20 lashes, and the four others seven

years' imprisonment with 10 lashes. In November 1982 the Camp Jail authorities stayed the flogging pending appeals to the Punjab Martial Law Administrator.

Amnesty International continued to receive reports of public floggings imposed on people convicted of non-political crimes. Seventeen people in Multan, Punjab, were prosecuted in the first case of its kind in Pakistan for "violating a motion picture ordinance". Sentences of 15 lashes, various terms of imprisonment and heavy fines were imposed on the 17 men and women by a Summary Military Court on 12 October 1982. A 60-year-old man, Mohammad Hussain, was flogged in public before hundreds of people on 8 December 1982 at Sukkur. He had been convicted before an Islamic court of abducting a girl, and was sentenced to 10 lashes and three years in jail. On 23 December 1982 the Urdu newspaper *Jang* reported that an Islamic court in Dir, North West Frontier Province, had sentenced an unmarried, pregnant girl, Jahan Meena, to a public flogging of 10 lashes and two years in prison.

Since amputation of the hand was introduced as a punishment for theft in 1979, 22 people were reported to have been sentenced to amputation. However, there were no reported cases of this sentence being carried out. In the case of Ghulam Ali, convicted of stealing a clock from a mosque, the sentence was confirmed by the Federal *Shari'a* Court in June 1982. This was the first time that the Federal *Shari'a* Court had confirmed a lower *Shari'a* court's sentence of amputation. It was not known if the sentence was carried out.

In May Amnesty International submitted information to the United Nations under the procedure to investigate reports of "gross and reliably attested violations of human rights".



Philippines

Following its mission in November 1981 Amnesty International published the *Report of an Amnesty International Mission to the Republic of the Philippines* and launched a worldwide campaign focusing on illegal arrest and detention, torture and extrajudicial executions. During 1982 Amnesty International continued to receive reports of such violations, including arrests of people believed to have been engaged in non-violent political activity.

The report, published on 22 September 1982, presented detailed evidence that members of the armed forces and paramilitary groups acting with official sanction had committed human rights violations of concern to Amnesty International, contrary to international law and national legislation. The report, which had been submitted to the government before publication, made a number of recommendations. Among them were that the government should institute immediate inquiries into 49 cases involving allegations of serious human rights violations which had been presented to the Amnesty International delegation in November 1981. The report noted that: "Amnesty International believes that the cases presented to the delegation are in themselves of such a serious nature as to arouse grave concern. However, there is also concern that these cases may have to be regarded as merely representative of the much larger number of reported but unexamined cases involving allegations of a similar nature." Of the 49 cases examined by the mission, 26 were cases of arbitrary killing in which government agents were allegedly implicated and 32 involved allegations of torture. The report noted that the number of political detainees held by the government had decreased substantially since the years immediately after the declaration of martial law, although unofficial estimates of the number of prisoners indicated that it was still as high as 900 at any time. However, there was evidence that human rights violations of the utmost gravity, including "disappearances" and extrajudicial executions, were becoming increasingly common while torture remained prevalent. The government had frequently asserted that alleged cases of extrajudicial execution were, in fact, killings in armed combat between government forces and members of insurgent groups. In a number of cases where this had been asserted the Amnesty International mission found evidence that the victim had actually been killed in the custody of government agents. Torture in detention most commonly occurred in unauthorized places of detention, which included secret holding centres known as "safehouses", and military barracks not designated for holding prisoners.

The report recommended stricter enforcement of existing safeguards to protect people in custody and the abandonment of the use of "safehouses". The report noted that the government had instituted an extensive array of safeguards and had repeatedly pledged that it would investigate and act on complaints of violations by its agents. However, it found that prescribed procedure was routinely ignored with impunity. It noted: "in those rare cases where complaints have led to some form of prosecution, the charges tend to have been dismissed after hearings that were not public or else the punishment has often been incommensurate with the gravity of the offence." The

report recommended that the government review procedures for investigation, prosecution and punishment of violations of human rights by government agents.

During a visit to the USA in September 1982 President Marcos criticized Amnesty International's findings and methods, accusing the organization of having entered the Philippines "surreptitiously" and dismissing the report as exaggerated. On 24 September Amnesty International issued a public statement recounting Amnesty International's efforts over a 10-month period to reach agreement with the government on a date for the mission. It pointed out that the mission delegates had met government officials and that after the mission a letter had been sent to the Minister of National Defense stating Amnesty International's concerns in the Philippines and asking for clarification of certain matters that had arisen during the mission.

In a speech in San Francisco, California, on 26 September 1982 President Marcos said: "We can answer, and will answer, the [Amnesty International] report word by word." On 26 October Amnesty International wrote to President Marcos welcoming his announcement of an investigation into Amnesty International's findings and asking about its terms of reference and methods. By the end of 1982 Amnesty International had received no direct response to the report from the government. The government had, however, taken steps said to be intended to curb abuses by police and armed forces personnel. Reported measures included: the dismissal of 113 members of the armed forces, new procedures for investigating and prosecuting cases involving offences against civilians, and the institution of a "rehabilitation battalion" for personnel found guilty of such abuses. A request by Amnesty International on 11 November 1982 for further information on these measures had received no reply by the end of 1982.

During the year the pattern persisted of people purportedly arrested on national security grounds being detained incommunicado in unauthorized places of detention where they were reportedly tortured. The report noted: "this practice . . . appears to be so prevalent as to amount to standard operating procedure for security and intelligence units."

Despite the lifting of martial law in January 1981 emergency provisions restricting the rights of people held on national security grounds remained in force (see *Amnesty International Report 1982*). The right to *habeas corpus* remained suspended in security cases. The President retained the right to issue Presidential Commitment Orders (PCOs) to arrest people accused of security related offences. Under Letter of Instruction (LOI) 1211 of 9 March 1982 military commanders were granted wider discretion to make arrests without reference to the

judiciary: they could apply directly to the President for a PCO without prior reference to the judiciary "when resort to judicial process is not possible or expedient without endangering public order and safety". Amnesty International regards these provisions as facilitating the ill-treatment of political detainees and recommended in the report full restoration of *habeas corpus* and revocation of LOI 1211. PCOs were often issued only after the detainee had been held incommunicado for several days or even weeks. Between 26 and 28 February 1982 at least 23 people were arrested without warrant by armed forces intelligence units in Manila during what were officially described as "joint operations against communist houses". Seventeen of them subsequently complained that they had been tortured or ill-treated while being held incommunicado. These complaints were submitted to the Supreme Court which, for the first time when presented with such allegations, ordered medical examinations. These examinations, although undertaken more than two weeks after the arrests, revealed injuries consistent with the alleged torture. On 30 March 1982 Amnesty International wrote to the Minister of National Defense, Juan Ponce Enrile, urging him to investigate the allegations. The results of any such investigations have not been made known.

Amnesty International appealed to the government on 27 April 1982 after it learned that six people allegedly associated with the banned Communist Party of the Philippines (CPP) were being held in incommunicado detention following their arrest in Manila on 22 to 24 April 1982. It was feared that they might be tortured. The six included Father Edicio de la Torre, who had previously been detained for more than five years until April 1980, and Horacio Morales, allegedly spokesman for the National Democratic Front, a coalition of groups whose program includes support for the New People's Army. Several of the detainees subsequently alleged that they had been tortured. Two – Antonio Moncupa and Horacio Morales – complained to the Supreme Court that they had been subjected to electric shocks, denied their right to legal counsel and made to sign statements under duress. In July the Supreme Court ordered a commission chaired by a government prosecutor to investigate the allegations.

The Amnesty International report noted that the mission had found convincing evidence that many victims of military abuses who were alleged to be engaged in "subversive" activities had, in fact, been involved in non-violent activities such as trade union organization, participation in church-sponsored social action groups and opposition to particular government projects. During 1982 Amnesty International continued to learn of PCOs issued against people engaged in non-violent opposition to the government including church workers, trade unionists, journalists and lawyers.

On 16 January 1982 seven people subsequently adopted as prisoners of conscience by Amnesty International were arrested by the Philippine Constabulary (PC) at a meeting of the Davao Ecumenical Movement for Justice and Peace in the home of Purificacion and Rolieto Trinidad in Tagum, Davao del Norte, Mindanao. Rolieto Trinidad and Hermenegildo Florida were taken to a safehouse where they were reportedly tortured under interrogation. After two days they were taken to the PC regional headquarters in Davao City where the others, four of them women, were being held. The women were reported to have been sexually humiliated while being interrogated. Despite requests the military commander did not allow lawyers to visit the detainees until six days after the arrests and only after a writ of *habeas corpus* had been issued by the Supreme Court.

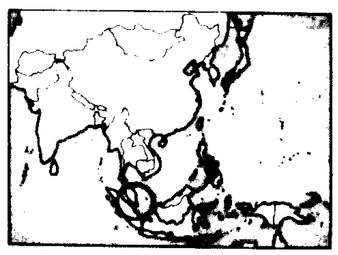
In a speech on 8 August 1982 President Marcos said that a plot had been uncovered involving assassinations, bombings and strikes timed to coincide with his forthcoming visit to the USA in September. The President said that he had a list of those involved in the plot which included members of the pre-martial law opposition, the communist party, Muslim separatists, trade unionists, priests and journalists.

Between mid-August and early September 1982 about 50 trade unionists were arrested in the Manila area. They were leaders and organizers of unions and federations affiliated to the *Pagkakaisa ng Manggagawang Pilipino* (PMP), a confederation whose largest component comprised unions affiliated to the *Kilusan Mayo Uno* (KMU), May 1st Movement. Thirty-five of those arrested were still detained at the end of 1982 and had been charged with conspiracy to commit rebellion. The charges against at least 27 of the detainees were brought on the grounds that the accused were members of the KMU and the PMP which were alleged to be "under the umbrella of the CPP whose objective . . . was to overthrow the government by armed struggle". Amnesty International took up the cases of 32 of the detained trade unionists, including those of the 79-year-old chairman of the KMU and co-chairman of the PMP, Felixberto Olalia, and the executive vice-president of the KMU, Crispin Beltran, who was adopted as a prisoner of conscience.

On 10 December 1982 Amnesty International appealed on behalf of 10 people who worked on the only Manila opposition newspaper, *We Forum*. They had been arrested under PCOs on 7 December by armed forces intelligence units. They were charged with subversion on 13 December and released into house arrest on 15 December. Amnesty International was concerned that the 10 had been held in the Maximum Security Unit (MSU) at Fort Bonifacio in Manila where detainees were frequently held incommunicado in poor conditions and were often reportedly tortured and ill-treated. The Amnesty

International report had recommended dissolution of the MSU. Two detainees held in the MSU of particular concern to Amnesty International were Milagros Lumabi-Echanis and Juliet Delima-Sison (see *Amnesty International Report 1982*). Milagros Lumabi-Echanis, who had been held incommunicado in the MSU for seven months after her arrest in August 1980, was granted a "temporary release" (provisional release) in February 1982. Juliet Delima-Sison, the wife of the alleged chairman of the CPP, on whose behalf Amnesty International had appealed for medical care on learning that she was pregnant, was released in March 1982. Amnesty International had been concerned that inadequate medical attention and poor prison conditions were endangering her health.

Amnesty International believed that more than 800 people were under sentence of death, most in the National Penitentiary, Muntinlupa. At least 24 crimes were punishable by death. Most of those under sentence of death had been awaiting review of their sentence for several years, including some who had been convicted in the 1950s. Since 1972, only one person has been executed. However, the courts continued to pass death sentences in 1982 and several prisoners had dates for their execution set, only to be postponed.



Singapore

Amnesty International continued to appeal for the release or prompt trial of political prisoners held in preventive detention under the Internal Security Act (ISA) 1963. In February the Home Affairs Minister stated that 17 people were held without trial under the ISA. Two prisoners of conscience were released during 1982. There were arrests in January 1982 leading to the first known trial under the ISA. Amnesty International appealed for the commutation of all death sentences.

On 9 and 10 January 1982, 10 people were arrested under the ISA on suspicion of belonging to a Muslim group, the Singapore People's Liberation Organization (SPLO), which the Ministry of Home Affairs said "aimed to overthrow the government through the use of arms". Two of the suspects were arrested reportedly while planning to distribute pamphlets during celebrations of the birthday of the Prophet Mohammad. They were all Indians or Malays, members of minority groups in Singapore. Six were members of opposition

parties, three had been candidates in parliamentary elections, and two were members of Malay cultural organizations. The arrests were criticized by a number of opposition politicians as aimed at discrediting the opposition by linking it to extremist causes. On 13 January Amnesty International cabled Minister of Home Affairs Chua Sian Chin urging that the prisoners be charged and given a public and fair trial within a reasonable time, or else that they be released. On 15 January 1982, five of the prisoners pleaded guilty before a magistrate to charges under Article 27(1) of the ISA relating to the writing, printing, attempted distribution and possession of subversive documents. The prosecution argued that the pamphlets had "a tendency to excite organized violence against members of the Singapore Government" and that the ultimate aim of the SPLO was to overthrow the government by violent means. The pamphlets were said to accuse the authorities of oppressing the Malay language and culture and Islam. Charges that the five defendants had planned arson and planting bombs in public buildings were supported only by statements made by the defendants during interrogation. They were tried on 21 January 1982 and sentenced to terms of imprisonment ranging from two to four years. On 8 February 1982 the five other suspects were released without trial. According to the Home Affairs Ministry "they admitted they were misled by their leaders and expressed repentance in handwritten statements."

On 26 August 1982, the prisoner of conscience Dr Poh Soo-kai was given a conditional release after a total of 16 years' imprisonment without trial. On 27 August 1982 Amnesty International welcomed the release and urged that it be made unconditional. Dr Poh Soo-kai was first arrested under the ISA in February 1963 in a round-up of people opposed to Singapore's subsequent short-lived merger with Malaysia. He was then Assistant Secretary-General of the opposition party *Barisan Sosialis*. He was released in 1973 and rearrested in 1976, again under Section 8(1) of the ISA, for being a member of a pro-communist organization, an allegation which he denied. Amnesty International had adopted him as a prisoner of conscience as it believed he was detained for criticizing the government's detention of political prisoners.

On 6 September 1982 the restriction order which confined adopted prisoner of conscience Dr Lim Hock Siew to a small island off Singapore was lifted. Dr Lim Hock Siew, former Secretary-General of the *Barisan Sosialis*, was arrested in 1963 and detained without trial for 15 years. In 1978 he was released from prison and restricted to one of Singapore's surrounding islands.

Under the terms of their release, both Dr Poh Soo-kai and Dr Lim Hock Siew were prohibited from taking part in politics or addressing

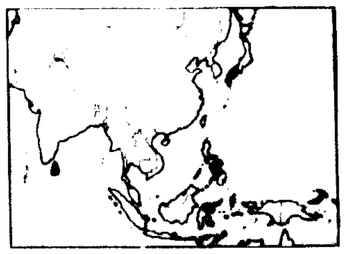
trade union meetings: they were also under travel and residence restrictions. In a cable of 10 September 1982 to Prime Minister Lee Kuan Yew Amnesty International noted that the releases of Dr Poh Soo kai and Dr Lim Hock Siew were important initiatives in resolving the problem of long term detainees in Singapore.

Amnesty International continued to appeal for the release of Chia Thye Poh, a former member of parliament for the *Barisan Sosialis*, editor of the party's newspaper and assistant lecturer at Nanyang University, detained since 1966, and of Chng Min Oh, former chairman of the Singapore Gold and Silversmiths Union and a member of *Party Rakyat*, a small opposition party, detained since 1970.

In early March 1982, in a written reply to a member of parliament, Home Affairs Minister Chua Sian Chin stated that as of 15 February 1982 there were 17 people held without trial under the ISA and that of these, 11 had been detained for up to five years, four for up to 10 years and two for up to 15 years. Three such prisoners were known to have been subsequently released: Dr Poh Soo-kai and two prisoners arrested in April 1981 for allegedly belonging to a pro-communist group, the Malayan National Liberation Front, released in September 1982 after renouncing their alleged communist connections.

Members of religious groups which had been refused official registration on the grounds that their activities were detrimental to the public interest were arrested in two separate cases. In June 1982 the police detained 18 members of the "Divine Light Mission", a group which follows the teachings of Guru Maharaj Ji, who lives in the USA. They were later released on bail and some were fined. In July 1982 police arrested and fined a number of Jehovah's Witnesses who were holding a meeting.

Amnesty International received no reports of executions in 1982. At least nine prisoners had their sentences of death finalized by Singapore courts. They had been convicted of criminal offences, such as murder, drug trafficking or offences under the Arms Offences Act. Amnesty International appealed to President C. V. Devan Nair to commute all the death sentences.



Sri Lanka

Amnesty International continued to be concerned about the use of the Prevention of Terrorism (Temporary Provisions) Act (PTA) which suspends important legal safeguards and provides for incommunicado detention in undisclosed places for up to 18 months. There were repeated allegations of torture and ill-treatment of detainees under the PTA by the army and police.

Amnesty International delegates visited Sri Lanka on a mission from 31 January to 9 February 1982. Although Amnesty International had been assured as late as 21 January that Sri Lankan officials and ministers would meet the delegates, the government refused to meet the delegates in Colombo. The delegates were, however, able to discuss the human rights situation with members of the legal profession, members of parliament, political leaders, and representatives of various civil liberties groups. The delegates also visited Jaffna, where they gathered information about violations of human rights alleged to have been committed in the north.

The state of emergency was lifted on 11 January 1982 but was re-imposed twice. It was imposed briefly from 30 July after riots in the town of Galle between Sinhalese and Muslims which caused two deaths, and from 21 October for the rest of the year after the presidential elections and during the national referendum held on 22 December. Violence continued in the north, and there were armed attacks in which four police officers were killed and three more injured on 2 July, and three police officers and two civilians were killed on 27 October in an attack on Chavakachcheri police station. The Sri Lankan press attributed these killings to groups belonging to the Tamil minority. While acknowledging that those responsible for these armed attacks should be brought to justice, Amnesty International was concerned about reports that between the end of January and March 1982 many members of the Tamil minority in the north were arrested under the PTA and held without charge or trial. In November, 27 people were reportedly arrested under the PTA in the area, 15 of whom were still in detention at the end of November 1982. At least 65 people were detained without charge or trial under the PTA in mid-December 1982, and allegations of torture and ill-treatment of many of these detainees reached Amnesty International.

Amnesty International was particularly concerned that the Prevention of Terrorism Act, originally specified to run for three years from July 1979 to 1982, was made part of the permanent law of the land on

11 March 1982. Amnesty International believed that many provisions of the PTA as well as the retroactive effect of some of its provisions, violated international human rights standards.

The first trial under the PTA took place in 1982, resulting in death sentences being imposed on 13 August on Selvarajah Yogachandiran (known as Kuttimany) and Ganeshanathan Jeganathan (known as Jegan). They were convicted of murdering a police officer on 21 March 1979. Throughout their detention from April 1981, and even during the trial itself, the accused were held in army custody. During the trial the two men stated that their "confessions", made while in army custody, had been extracted under torture. Under the changed rules of evidence of the PTA the burden of proving such allegations had been shifted to the accused, and the court admitted the self-incriminating statements in evidence. At the end of 1982 an appeal was being heard against their sentence.

At the end of 1982 Amnesty International was investigating the cases of 11 possible prisoners of conscience. Of the 22 cases which had earlier been taken up by the organization, 11 were released in 1982, of whom three were prisoners of conscience. The 11 released prisoners were Tamils detained since April or May 1981, after a bank robbery, most of whom had not been charged or tried.

The release of Jaffna University student Appulingam Wimalarajah and some 30 other Tamils arrested under the PTA in April and May 1981 had been demanded in many demonstrations by Tamil students and politicians since April 1981. A *habeas corpus* application on behalf of Appulingam Wimalarajah was heard in the Court of Appeal on 31 May 1982, and he was released on 8 June.

On 29 September Mudiyappu Davidson, General Secretary of the General Union of Eelam Students, was arrested under the PTA, after leading a non-violent boycott of President Jayewardene's visit to Jaffna. He was detained at Panagoda army camp. A writ of *habeas corpus* was applied for in the Court of Appeal on his behalf and the court directed the Attorney General to give grounds for his detention. He was released after two weeks.

In November, 27 people in the north were reportedly arrested under the PTA. Amongst those detained were eight priests, five of whom were released after up to five days in detention. Three others – Father Sinnarasa, Father Singarayer and the Reverend Jeyathilakaraja – were still detained at the end of 1982. The charges against them included harbouring terrorists and concealing information from the authorities. A writer, a university lecturer and a doctor were also in detention at the end of the year, reportedly on similar charges. The detained priests were held in Gurunagar Army Camp, where they were denied visits by lawyers, relatives or churchmen. The Roman

Catholic Bishop of Jaffna wrote to the President on 23 November stating that two of the priests were being "subjected to moral pressure, intimidation and other questionable methods to extract confessions from them".

From 18 November a large number of peaceful demonstrations and public fasts took place in the north of the island on behalf of the detained priests. Amnesty International expressed concern to President Jayewardene on 20 December 1982 about the detention of the three priests and also about the arrests of nine people reportedly detained for peacefully fasting at Vavuniya on 15 December in protest against the detentions under the PTA. On 21 December 1982 the government replied, confirming that charges against the three priests were being investigated and that they would be either prosecuted in a court of law or released on completion of investigations.

Under the Emergency Regulations imposed from 21 October 1982, after the presidential election on 20 October, many members of opposition parties were detained. Amnesty International received reports that more than 25 members of the Sri Lanka Freedom Party (SLFP) were detained without charge in November. The majority were released within weeks but five, including the Assistant Secretary of the SLFP, were still detained at the end of 1982. According to press reports in November, 11 members of the SLFP, including its General Secretary, were to be indicted in connection with an alleged conspiracy against the state. Before the 22 December 1982 referendum, which extended the Parliament's life for six years, members of other opposition parties – the Janata Vimukhti Peramuna (JVP) and the Communist Party – were also reported to have been detained under the Emergency Regulations. Amnesty International raised its concerns about the detention of opposition party members with President J. R. Jayewardene on 7, 20 and 24 December 1982, urging that those detained be charged or immediately released.

On 5 May 1982 Amnesty International wrote a letter to the Minister of Internal Security, the Commander of the Army and the Inspector General of Police inquiring about the "disappearance" of Ponnuthurai Kanagakulasingham, a 34-year-old Tamil who was reportedly arrested on 28 January 1982 by army and police personnel at Vadaliyadaippu, and taken away in a helicopter. Amnesty International asked the Minister of Internal Security to investigate reports of the arrest and to inform the organization of his current whereabouts or date of release from custody, stating that fears had been expressed that the missing man might have died in custody. Amnesty International did not receive a reply.

A Parliamentary Select Committee was appointed in 1979 to investigate reported "disappearances" and deaths of Tamils in police

or army custody. Its report was apparently put before Parliament at the end of 1982, but as far as Amnesty International was aware, the report had not been published.

Taiwan

Amnesty International continued to appeal for the release of 90 prisoners of conscience and possible prisoners of conscience, and for the retrial of prisoners convicted of sedition after trials which fell short of international standards. One adopted prisoner of conscience held for more than 30 years was released, and the 21 other prisoners convicted of sedition in the early 1950s were to have their cases reviewed. Amnesty International was also concerned about allegations of torture and by the imposition of at least 43 death sentences and five executions.

In April 1982 Wu Yueh-ming, a 62-year-old former pharmacist and an Amnesty International adopted prisoner of conscience, was released on parole on medical grounds after more than 30 years in prison for alleged "pro-communist activities" (see *Amnesty International Report 1982*). On 20 October 1982 Defence Minister Soong Chang-chih announced that the government was reviewing the cases of 21 other prisoners also detained on charges of sedition for more than 30 years with a view to releasing them on humanitarian grounds. The 21 prisoners had been specifically excluded from the previous amnesty – the 1975 Commutation Act – because they had been convicted of being communists. They had all been sentenced to life imprisonment and most were said to be in poor health. Amnesty International had adopted 16 of them as prisoners of conscience after years of investigation which produced no evidence that their political activities had involved the use or advocacy of violence. In all cases about which information was available they had been tried by summary military tribunals in closed courts without proper rights of defence. Amnesty International had little information on the six prisoners whom it had not adopted. On 11 November 1982 Amnesty International wrote to Prime Minister Sun Yun-suan welcoming the review and expressing the hope that it would lead to the unconditional release of all the prisoners of conscience.

Amnesty International also welcomed the amendments to the Code of Criminal Procedure adopted in July 1982 by the Legislative *Yuan* (Assembly) and subsequently promulgated by the government,

under which suspects in custody were given the right to retain a defence lawyer immediately after arrest. Amnesty International wrote that this legal change, if applicable to suspects under military trial law, would be a significant step towards protecting suspects from ill-treatment during interrogation and towards bringing detention procedures into line with international standards. However, it was later learned that it was not applicable under military law. It was believed that this revision of interrogation procedures was hastened by the case of Dr Chen Wen-cheng, found dead on 3 July 1981, the day after he was questioned by the authorities about his political activities (see *Amnesty International Report 1982*) and by the death in police custody in May 1982 of Wang Ying-hsien, a suspect in a robbery case. An official inquiry into Wang Ying-hsien's death led to the prosecution of five police officers. On 23 November 1982 they were sentenced to prison terms ranging from one year and four months to four years and six months on charges of involuntary manslaughter, assault and illegal detention. As far as Amnesty International knew, this was the first judicial investigation into claims that torture or ill-treatment had been used by interrogating officers.

In early March 1982 Minister of Interior Lin Yang-kang announced that there would be a review of the Public Officials Election and Recall Law promulgated in May 1980. On 8 March 1982 Amnesty International wrote to the Minister, expressing its concern about the imprisonment under this law of Chang Chun-nan and Liu Feng-sung. They were both candidates in the elections of December 1980 and were convicted of making seditious speeches or using seditious slogans and leaflets during their campaigns. Amnesty International adopted both men as prisoners of conscience (see *Amnesty International Report 1982*). In its letter Amnesty International recommended that all provisions be removed from the law which enable people to be imprisoned for the non-violent exercise of their right to freedom of expression.

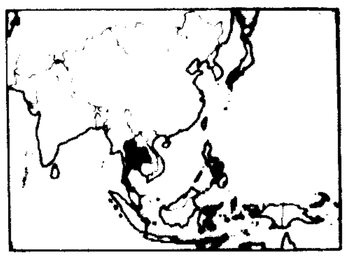
Amnesty International appealed for the release of Chang Hua-min, historian and journalist arrested in September 1979 and sentenced to 10 years' imprisonment for alleged pro-communist propaganda (see *Amnesty International Report 1980*). Amnesty International considered him a prisoner of conscience detained for his writings and his support for opposition politicians.

Amnesty International also appealed for the release of Wen Juian and Fang E-chen, both writers, arrested in October or November 1980 and sentenced to three years' "ideological reform", reportedly for discussing communism at meetings of a literary society and for expressing the view that Taiwan should be reunified with communist China.

Amnesty International continued to appeal for the release of prisoners of conscience detained after the Kaohsiung incident in December 1979 and for the Reverend Kao Chun-ming and his co-defendants, convicted of harbouring Shih Ming-teh, a suspect in the Kaohsiung incident (see *Amnesty International Reports 1981* and *1982*). It appealed for medical care for Lu Hsiu-lien, a lawyer and executive member of *Formosa* magazine arrested after the Kaohsiung incident who was reported to be suffering from a recurrence of cancer of the thyroid. She was later reported to be receiving medical treatment. Amnesty International was concerned about the two-year delay in providing adequate medical care to Shih Ming-teh for a spinal injury. A team of doctors was reportedly sent to examine him in early November 1982.

In a letter of 11 November 1982 Amnesty International appealed to Prime Minister Sun Yun-suan to investigate all cases where claims of torture or ill-treatment were made and to refer them to a court for inquiry or retrial. Amnesty International cited several cases including those of Yang Chin-hai and Yen Ming-sheng, arrested in May 1976. Yen Ming-sheng was an independent candidate in the December 1975 elections to the Legislative *Yuan* (Assembly). He had openly criticized the government's goal of recovering the China mainland and objected to the predominant role in government of people born on the China mainland. Yang Chin-hai, a businessman and the president of the Kaohsiung County Chamber of Commerce, was the election manager of Yen Ming-sheng. At his trial Yang Chin-hai presented a written statement to the court claiming that he had confessed to charges of planning sabotage because of torture and death threats. Amnesty International also raised the cases of Chen Ming-chong and Chen Chin-huo, who were arrested in July or August 1976. Both had previously been imprisoned on charges of pro-communist activities. They were tried *in camera* and not allowed to be defended by a lawyer of their choice. They were reportedly ill-treated to make them confess to planning an armed rebellion to prepare for a communist invasion.

Amnesty International was concerned that at least 43 death sentences were reportedly imposed by civil or military courts for criminal offences such as murder, robbery and drug offences. Five executions were reported. One prisoner was tried by military court and executed four days after conviction. Another, also tried by military court, was executed less than two weeks after conviction. One person sentenced to death in 1973 for murder was acquitted after a series of retrials. On 1 June 1982 Amnesty International reiterated its appeal to President Chiang Ching-kuo to commute all death sentences.



Thailand

Amnesty International was concerned about the use of detention without trial for political offences and by the imposition of the death penalty. Amnesty International had no adopted prisoners of conscience in Thailand in 1982.

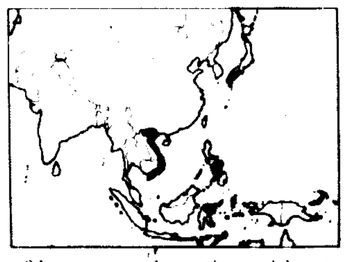
Several thousand former members and guerrillas of the Communist Party of Thailand surrendered to the authorities. In exchange for their surrender and renunciation of violence the Thai authorities undertook to reintegrate the former guerrillas and their sympathizers into Thai society. To Amnesty International's knowledge those surrendering were not detained or imprisoned following their surrender.

However, Amnesty International remained concerned that prisoners could be detained without trial under Section 18 of the Anti-Communist Activities Act (ACAA) of 1979 which allows people accused of communist activities to be detained without trial for up to 480 days. The number of people held under this act, although believed to be small, was not divulged by the government. Detainees have in the past been denied access to lawyers and relatives for long periods and have been held incommunicado. In December 1982 Amnesty International wrote to Prime Minister General Prem Tinsulanond noting recent indications that the government was considering the repeal or amendment of the ACAA in view of the improved security position in the country and urged an early review of the act.

In the *Amnesty International Report 1982* Amnesty International noted the reported operation of "death squads" in Thailand. In its December letter to General Prem, Amnesty International welcomed the statement reported in the *Bangkok Post* of 10 December by Interior Minister General Sitthi Chirarot that these "death squads" were not operating with official sanction and that the government was continuing its investigation into the cases of 43 people who had died in violent circumstances or "disappeared" since the beginning of 1981. Amnesty International urged General Prem to establish an independent review body to examine the allegations of killings and "disappearances" presented to the government by civil rights groups on 9 December. Amnesty International also raised two cases: Kamol Pientamdee, allegedly a member of the Communist Party, was reportedly arrested and taken to Chipravat Army Camp in Nakhon Sawan on 25 December 1980; and Darani Phanbusayakul, a law student, was reportedly arrested and taken to the interrogation centre of the Internal Security Operation Command (ISOC) in Bangkok on 11

May 1981. Amnesty International asked the government to give details of their whereabouts and of any charges against them.

Amnesty International remained concerned about the imposition of the death penalty in Thailand. Death sentences were frequently passed for robbery and murder. In November the government announced that there were 16 people awaiting execution and a further 38 in the process of appealing against death sentences. A defendant who is sentenced to death may appeal to the Court of Appeal, and thereafter to the Supreme Court. Finally, a defendant can seek clemency from the King. In 1981, 175 people were sentenced to death and in the first six months of 1982, 33 people received the death sentence. The majority had their sentences commuted, but some were executed. Figures for the number of executions were not released.



Viet Nam

Amnesty International was concerned about the detention without trial of thousands of members of the former South Vietnamese Government in "re-education" camps. It was also concerned about the psychological and physical effects of long-term detention without trial for indefinite periods; reports of people arrested on political grounds, some of whom might be prisoners of conscience; the absence of adequate legal safeguards to protect detainees in pre-trial detention; the detention of people apprehended while trying to leave Viet Nam illegally; and the use of the death penalty.

In its 1981 *Report of an Amnesty International Mission to the Socialist Republic of Viet Nam* Amnesty International recommended to the Vietnamese Government that it consider early ratification of the United Nations International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights, as well as the Optional Protocol to the second covenant. Amnesty International welcomed the Socialist Republic of Viet Nam's accession to the two covenants on 24 September 1982.

Despite this development, however, the Vietnamese Government continued to detain thousands of members of the former South Vietnamese administration nearly eight years after the cessation of hostilities, thus violating several articles of the International Covenant on Civil and Political Rights. Amnesty International believed that the detention for "re-education" of prisoners because of the position they

held under former South Vietnamese governments violated the internationally recognized right not to be detained arbitrarily, that is, without charge or trial. In particular, it violated the right to be presumed innocent until proved guilty and the principle that legislation should not be applied retroactively.

Amnesty International repeatedly expressed its concern for these prisoners in the absence of any declared intention by the government as to the date of their release. In an interview in June 1982 Foreign Minister Nguyen Co Thach stated that the number of detainees currently held in "re-education" camps was 16,000. In a further statement to CBS Television of the USA on 13 June 1982 the Foreign Minister stated that the Vietnamese Government would be willing to release all detainees from "re-education" camps if they were accepted by the USA for entry into that country. On 17 June Amnesty International cabled Foreign Minister Thach noting his statement and recommending that all prisoners in camps be released pending resettlement elsewhere, should they desire such resettlement.

On 23 December 1982 Amnesty International wrote to Prime Minister Pham Van Dong again urging the government to abolish compulsory detention without trial for people connected with the former administration and the release of the remaining prisoners in the camps. Amnesty International also drew attention to its long-standing concern at the detention of old or seriously sick prisoners in "re-education" camps. It cited the cases of five such prisoners, all adopted by Amnesty International as prisoners of conscience. The organization considered that they should be released immediately, bearing in mind Article 7 of the Provisional Revolutionary Government Policy Statement on Re-education (No. 02/CS/76) which declared that such people could be released with their families' guarantee. Amongst these prisoners was Mai Van Le, former Deputy Dean of Saigon Law School and Chairman of the National Economic Council, who was reported to suffer from a stomach ulcer, dysentery and beri-beri. During 1982 Amnesty International appealed on behalf of several prisoners suffering ailments which could not apparently be adequately treated in the "re-education" camps. Conditions in many "re-education" camps remained harsh with inadequate medical care and food.

Amnesty International was also concerned about prisoners of conscience held in "pre-trial detention". Among the Amnesty International adopted prisoners of conscience held in Viet Nam were writers, artists, priests and members of the former neutralist "third force". These prisoners were often held technically in "pre-trial detention" for an indefinite period, despite the fact that the relevant decree, No. 02/SL/76, allows a maximum of one year's pre-trial

detention for people accused of serious offences. Most such prisoners were held in Chi Hoa Prison in Ho Chi Minh City. Pham Van Tam, a journalist and former Secretary General of the Vietnamese League of Human Rights, had been detained in "pre-trial detention" for more than four and-a-half years. Other prisoners of conscience adopted by Amnesty International included seven Jesuit priests and a Dominican Father reportedly arrested for "anti-government behaviour" in December 1980 and January 1981. Five of the priests – Father Joseph Khuat Duy Linh, Father Roch Dinh van Trung, Father Joseph Do Quang Chinh, Father Albert Nguyen van Hoa and Brother Peter Pham Huu Lai – were transferred in late 1982 to Chi Hoa Prison while the three others – Father Joseph Nguyen Cong Doan, Father Joseph Le Thanh Que and Father Joseph Hoang Si Quy – reportedly remained in the custody of the security police (*Công An*). None of the eight had been charged or tried.

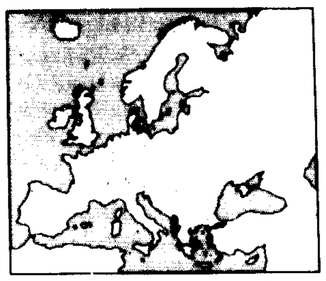
There were indications that the authorities had imprisoned people in northern Viet Nam because of their conscientiously held beliefs. Among those adopted by Amnesty International was Bui Hoang Cảm, a 62-year-old poet and former Communist Party member, arrested on 20 August 1982 and accused of having "cultural relations with foreigners".

Amnesty International continued to be concerned about people arrested trying to leave Viet Nam illegally, and adopted as prisoners of conscience those imprisoned for attempting to leave for reasons of conscience, where they had no opportunity to leave the country legally. During 1982 several such cases were reported to Amnesty International. Some people had been denied the civil status or documentation necessary to apply for emigration under the terms of the Orderly Departure Program sponsored by the United Nations High Commissioner for Refugees and continued to try to leave illegally. An example was Lê thi Som Mai, a 19-year-old daughter of two well-known South Vietnamese writers. Her father and mother were arrested and sent for "re-education" in 1976; her mother was released in December 1976 but her father remained detained in a camp. Lê thi Som Mai's sisters were expelled from school, reportedly because of their family background. Unable to apply to emigrate legally, Som Mai and her brothers and sisters joined an illegal emigration attempt. They were all arrested and, although other women and children arrested at the same time were reportedly released soon after, Lê thi Som Mai remained detained in a labour camp in the central highlands.

Amnesty International was concerned about an apparent tendency by the courts to pass death sentences more frequently than before. Amnesty International learned of five death sentences passed in the first six months of 1982 and of 12 executions carried out during the year. Trần van Hung, "a professional hooligan who had earned his living by theft and burglary" was condemned to death in August 1981 for theft. While awaiting the decision of the Chairperson of the Council of State on whether to commute his sentence, he tried to escape from prison and murdered an inmate in the attempt. On 17 August 1982 he was publicly executed by the authorities in Hanoi. Six people convicted of "counter-revolutionary offences" including murder and armed robbery were executed in Ho Chi Minh City on 23 December.

Nguyen van Hoang, Trần Quang Mân and Nguyen van An were arrested with several others in April 1979 and were condemned on 13 August 1981 to life imprisonment for "plotting to overthrow the revolutionary government". In an appeal which took place on 27 May 1982 the three men were condemned to death, and they remained under sentence of death until the end of 1982.

Europe



Albania

Amnesty International's major concerns were the imprisonment of prisoners of conscience, the lack of legal safeguards for people arrested and tried for political offences, allegations of ill-treatment of detainees and harsh prison conditions.

During the year a number of senior government officials were replaced, among them Fecor Shehu, Minister of the Interior. The First Secretary of the Albanian Party of Labour, Enver Hoxha, announced in November that Fecor Shehu and a "group of plotters" had been detained for investigation. He also announced an amnesty decree for certain categories of offenders, including some political prisoners.

Albania, although a member of the United Nations, has not ratified the international human rights covenants. The constitution justifies the restriction of certain human rights on the grounds that "the rights of citizens are inseparable from the fulfilment of their duties and cannot be exercised in opposition to the socialist order". In practice, many people have been imprisoned for the non-violent exercise of basic human rights under various broadly formulated charges such as "anti-state agitation", "sabotage" and "treason". Article 55 of the criminal code, dealing with "anti-state agitation and propaganda", punishes by three to 10 years' imprisonment "Fascist, anti-democratic, religious, war-mongering or anti-socialist agitation and propaganda, as well as the preparation, dissemination or the possession for dissemination of literature of a content liable to weaken or undermine the state of the dictatorship of the proletariat". If this offence is committed in time of war or has "especially grave consequences", the penalty is not less than 10 years' imprisonment or death. According to

unofficial reports, in the past many people have been imprisoned under this article for expressing views disapproved of by the authorities. In 1982 Amnesty International learned of further cases. They included a young man sentenced to eight years' imprisonment in 1981. He was arrested while doing military service and accused of having criticized Albania's leaders in conversations with other conscripts. He denied the charges and appealed against the sentence, but it was confirmed on appeal. Amnesty International also received details of five workers from the towns of Tirane, Durres, Vlore and Korce, who were said to be serving prison terms imposed in separate cases ranging from six to 15 years for "anti-state propaganda". All had apparently been accused of expressing views critical of economic or political conditions in the country.

Freedom of movement continued to be severely limited. As in past years Amnesty International learned of people serving prison sentences for having attempted to leave the country without official permission. This is an offence punishable under Article 127 of the criminal code - dealing with "illegal crossing of the border" - by up to five years' imprisonment. However, in some circumstances the same offence may be treated as "treason" and punished under Article 47 (11) which prescribes a penalty of at least 10 years' imprisonment or death for "flight from the state and refusal to return to the fatherland on the part of a person sent on service or allowed to leave the state". Amnesty International learned of two further cases – a person from Elbasan and another from Korce – said to be serving prison sentences of 18 and 10 years respectively for having tried to leave the country without authorization.

In 1967 Albania was officially proclaimed an atheist state; all places of worship were closed. Religious leaders of the Muslim, Orthodox and Roman Catholic faiths were prohibited from carrying out religious duties and many were persecuted. It was alleged that by 1971, 12 out of 14 surviving Roman Catholic priests were imprisoned or interned in labour camps, where some were known to have died. In early 1982 emigre religious sources alleged that Father Ndoc Luli – a Jesuit priest imprisoned in 1980 for having baptized the children of a relative – had recently been killed in prison. Other unofficial sources, however, stated that he was in Ballsh prison in late 1982.

The authorities published no figures for political prisoners, and Amnesty International believes that it had details of only a fraction of the total number. Information received in recent years indicated that people convicted of political offences were generally sent to camps for political prisoners in Ballsh and Spac, and that by 1982 the combined population of these camps was between 2,500 and 3,000. Political prisoners were also held in Tirane and Burrel prisons. Young people

and women convicted of political offences served their sentences together with ordinary criminal prisoners in prison camps in Lezhe and Repartit Kosove (Lushnje) respectively.

In addition, an unknown number of people convicted of political crimes were reported to have been given a supplementary penalty of banishment or internment of up to five years. Banishment or internment may also be imposed administratively, without court trial and for unspecified periods, on those who "present a danger to the social system of the People's Republic of Albania" under Decree No. 5912. Moreover, the decree allows internment or banishment to be imposed on "members of the family of fugitives living inside or outside the state"; that is, as a reprisal against people who have not themselves necessarily broken the law.

Information about trial procedures received by Amnesty International during 1982 and in past years indicated that political detainees have been held for up to six months in solitary confinement without access to defence counsel or family, and that officials conducting investigations have frequently beaten suspects to obtain confessions. It appeared that political prisoners were defended by a lawyer only rarely, and then by court-appointed lawyers who made little effort to defend the accused.

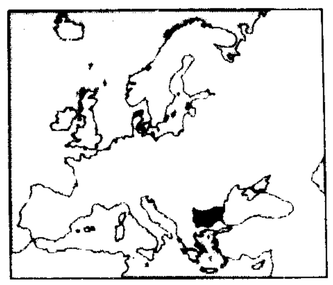
Conditions in the camps of Ballsh and Spac were described as harsh, with poor food, hygiene and medical care. Production targets in Spac – a labour camp where prisoners mine copper – were said to be excessive.

Prisoners held in Spac camp in 1982 were reported to include a number of military officers purged in 1974 when the former Minister of Defence, General Beqir Balluku, was executed.

On 10 November 1982 Enver Hoxha denounced Mehmet Shehu a former Prime Minister officially said to have committed suicide in December 1981 – as having worked for US, Yugoslav and Soviet foreign intelligence services. He said that a group of plotters linked with Mehmet Shehu had been arrested and was being investigated and named as one of these Fehor Shehu, Minister of the Interior until January 1982. Sources outside Albania alleged that others arrested included Mehmet Shehu's wife and son, as well as the former Defence and Foreign Ministers, Kadri Hazbiu and Nesti Nase, both replaced during 1982.

On the same occasion Enver Hoxha announced an amnesty decree that came into force on 15 November. Although officially described as a broad amnesty it included only three categories of political offence. People sentenced to up to eight years' imprisonment for "anti-state agitation and propaganda" and those convicted of "illegal crossing of the border" were released; those convicted under

Article 47 (11) of "flight from the state" benefited by a remission of a quarter of their remaining sentence. In addition, people convicted of political offences with only a year of their sentences left to serve were released. The authorities did not state how many political prisoners benefited from this amnesty. Amnesty International learned from unofficial sources of 18 political prisoners from Spac and Ballsh camps who were said to have been released under the amnesty.



Bulgaria

Amnesty International's concerns were the imprisonment of prisoners of conscience and violations of internationally accepted legal safeguards in political trials. Amnesty International was also concerned about reports of poor prison conditions. It learned of three executions.

As in past years, people were imprisoned for the non-violent exercise of their rights to freedom of expression and freedom of association, generally under Articles 108 and 109 of the criminal code. These broadly-formulated articles deal respectively with "anti-state agitation and propaganda" and "forming or leading an organization aimed at committing crimes against the People's Republic of Bulgaria". Amnesty International adopted as a prisoner of conscience Halil Uzunoglu, a Turkish citizen convicted in January 1982 under these two articles. He was arrested in September 1981 during a visit to relatives in Bulgaria. The charges against him were reported to have been based on copies of emigre publications found by police at a relative's house, in particular a booklet about the Turkish minority in Bulgaria. This had been published in Bursa in Turkey by a local branch of an association of emigre members of the Turkish minority from Bulgaria of which Halil Uzunoglu was president. Halil Uzunoglu is believed to have denied that he had brought these publications into Bulgaria, but was found guilty and sentenced to four and a half years' imprisonment.

Amnesty International learned of other prisoners apparently serving sentences for "anti-state propaganda" as a result of having exercised non-violently their right to freedom of expression; it sought further information about them.

As in past years Amnesty International received allegations that certain prisoners serving long sentences for espionage had been convicted on false charges. It continued to press the authorities for

details of the charges against one of these, Yusuf Husnuev Mustafov, aged 46, a member of Bulgaria's Turkish minority. He was arrested in 1976 and sentenced to 12 years' imprisonment after applying to emigrate to Turkey and after a member of his family had left Bulgaria without official permission. In May Amnesty International sought assurances that he was receiving appropriate medical treatment after it was learned that he was suffering from intestinal bleeding and a skin ailment.

The constitution does not guarantee freedom of movement and few Bulgarian citizens have received permission to emigrate. People who attempt to leave the country without official authorization may be punished, under Article 279 of the criminal code, with up to five years' imprisonment. An amendment to the code in April increased the maximum penalty to six years' imprisonment if the offence is repeated. During 1982 Amnesty International learned of several people who had served sentences in the late 1970s and early 1980s for attempting to leave the country without permission.

Political trials are not usually reported in the domestic news media and official censorship severely restricts information about human rights violations in Bulgaria. Amnesty International believes that the cases which came to its notice represented only a fraction of the total. Several former prisoners of conscience have estimated that in the early 1980s there were about 250 political prisoners (including some 150 people convicted of attempting to leave the country without permission) in Stara Zagora prison, where most political prisoners were held. About 1,000 to 1,400 prisoners were said to be held in Stara Zagora prison.

Amnesty International's information indicated that people arrested on political charges have commonly been denied basic legal safeguards. Although in some cases this information concerns trials which took place in the 1970s, practice did not appear to have significantly changed by 1982. For instance, it appears that Halil Uzunoglu was allowed to see his family only once after his arrest, and that he did not have access to a lawyer during the investigation, which lasted two and a half months. Neither his family nor officials from the Turkish Embassy were admitted to his trial in January 1982.

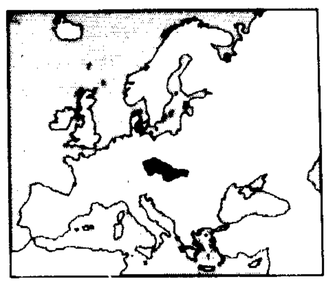
Amnesty International was also concerned about reported restrictions on basic legal safeguards, including access to a lawyer and relatives, during the investigation of two Italian citizens, Paolo Farsetti and Gabriella Trevisin, who were arrested in Bulgaria in August 1982 on charges of espionage. They were accused of having photographed military sites. Amnesty International appealed to the Bulgarian authorities to ensure that they be granted a fair trial. In a departure from normal practice in espionage trials, an Italian lawyer, an Italian

diplomat and Italian journalists in Sofia were admitted to the first day of the trial which opened on 22 December. It was adjourned the same day after the court granted the defendants' request for witnesses in Italy to be examined.

Accounts by former prisoners of conscience indicated that medical care and food in prisons were inadequate. There have also been complaints that guards have beaten prisoners and punished them for minor breaches of prison rules by solitary confinement with reduced food rations in special punishment cells. Such cells in Stara Zagora prison were said to be four feet square with concrete floors and no heating, toilet or washing facilities. Conditions in section 7 of Sofia Central Prison and in Pazardzhik prison, where recidivists are sent, have been described as particularly harsh.

After their release prisoners of conscience have often been subjected to various forms of harassment, as well as restrictions on their freedom of movement in the form of banishment or assigned residence.

Amnesty International learned of three executions. The Bulgarian press reported on 6 October that Ivan Vulchev Nedyalkov and Svetlosar Krustev Lazarov had been executed for multiple murder and robbery. On 22 July it was reported that Tsvetan Bratanov had been executed; he was convicted of having caused and driven away from a road accident in which six people were killed.



Czechoslovakia

Amnesty International's major concern was the continuing detention of prisoners of conscience under legislation which explicitly restricts the non-violent exercise of human rights. Prison conditions, the harassment of former prisoners of conscience and the death penalty also gave cause for concern. At the end of 1982 Amnesty International was working on behalf of 33 adopted prisoners of conscience and investigating four further cases, but it believed that the total number of prisoners of conscience was higher.

In May 1982 Amnesty International translated and made available the official commentary to Chapter I of the Czechoslovak Penal Code (published in May 1980) which contains the provisions under which the majority of adopted prisoners of conscience have been sentenced.

According to the commentary, even the slightest manifestation of dissent from official policies is an offence under the penal code

Among those imprisoned for expressing views which the authorities disapproved of was Zbynek Cerovsky, a 51-year-old engineer and a signatory for the unofficial human rights group Charter 77. He was arrested in November 1981 and in March 1982 sentenced to two years' imprisonment for "incitement". He had criticized the government and its relations with the Soviet Union in his application to emigrate and subsequently showed it to several people. He was seriously ill and Amnesty International issued an urgent appeal on his behalf.

During the year several former prisoners of conscience were again imprisoned. One of them, Petr Pospichal, a 22-year-old printer and Charter 77 signatory, was arrested in March 1982 while doing his military service and brought to trial in May. He was found guilty of discussing political subjects with fellow servicemen, of disseminating Charter 77 materials, of playing tapes of an "anti-state" nature, of criticizing the leading role of the Communist Party and of expressing views hostile to the state and social order of the Republic. He was given an 18 months' prison sentence for "incitement". In November 1978, at the age of 18, he had been sentenced to 11 months' imprisonment for unofficial cultural activities.

Amnesty International has received reports that the authorities have sometimes introduced extraneous criminal charges in the prosecution of people engaging in dissenting activities. Although Amnesty International cannot always assess the grounds for such charges, in the cases of adopted prisoners of conscience it is satisfied that they were imprisoned for the non-violent exercise of their human rights, rather than for any actions which might reasonably be qualified as criminal. One such case concerned four people arrested in November 1981 for publishing and distributing the unofficial journal *Vokno* (Window) (see *Amnesty International Report 1982*). They were sentenced in July 1982 for "breach of the peace". Two were also convicted on charges of "illegal possession of drugs", charges which Amnesty International believed to be unfounded. Ivan Jirous was given a three-and-a-half year sentence; Frantisek Starek two-and-a-half-years; Michal Hybek 18 months and Milan Fric 15 months. The first two, both Charter 77 signatories, were also sentenced to two years' protective surveillance.

Another example is that of four members of an unofficial group calling itself the "Revolutionary Action Group". In December 1981, two days after the imposition of martial law in Poland, the group published and distributed a leaflet calling for solidarity with Polish workers. In late January and early February 1982 police officers

interrogated a number of people, and four members of the group were remanded in custody on charges of "incitement". During the investigation proceedings the charge was changed to one of "subversion" and the charge of "misappropriation" – referring to a duplicating machine and some other articles – was introduced against two of the defendants. In December 1982 the Prague City Court sentenced Jan Wunsch, 25, to four years' imprisonment and two years' protective surveillance; Vaclav Soukup, 23, to three years and two years' protective surveillance; Jitka Tumova, 22, to 15 months, and Josef Wunsch, 20, to one year's imprisonment.

Active Christians continued to be arrested for unofficial religious activities. In May 1982 Amnesty International launched an action on behalf of imprisoned religious believers in Czechoslovakia. Appeals were sent on behalf of several people convicted for publishing and distributing unauthorized religious literature and several Roman Catholic priests imprisoned for saying Mass or for holding theological discussions without state approval. These included the Roman Catholic priest Frantisek Lizna, who had been sentenced in September 1981 to 20 months' imprisonment for producing and distributing unofficial religious literature. In July 1981, before he started serving his sentence, he attempted to send abroad a letter giving information about the Roman Catholic Church in Czechoslovakia and copies of an unofficial religious bulletin. In January 1982 he was tried and found guilty of "damaging the interests of the Republic abroad" and his sentence was increased to 27 months.

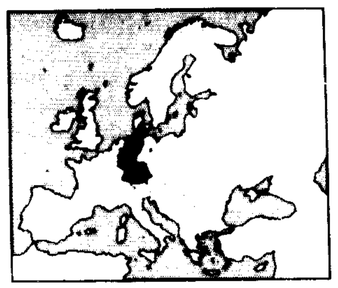
Seven people prominent in Czechoslovak cultural life, who had been arrested in May 1981 on charges of "subversion" (see ***Amnesty International Report 1982***), were released from pre-trial detention but criminal proceedings against them continued: Jirina Siklova, Karel Kyncl, Jan Ruml and Eva Kanturkova were freed in March 1982 and Milan Simecka, Jiri Ruml and Jan Mlynarik in May. Jan Mlynarik and Karel Kyncl were reported in November 1982 to have been given permission to emigrate.

Amnesty International was concerned about the authorities' open disregard for their human rights obligations. At the appeal hearing of Jan Litomisky on 7 January 1982, the Procurator maintained that the defendant was wrong to invoke the International Covenant on Civil and Political Rights because Czechoslovak citizens were more liable to be judged in accordance with their own national legal norms, and these norms restricted the freedoms guaranteed by the covenant to exclude activity which could be regarded as anti-socialist. Czechoslovak laws regarding "anti-socialist" behaviour have consistently been applied to imprison people for the non-violent expression of their views disapproved of by the authorities.

Amnesty International was concerned by reports about conditions in Plzen-Bory prison where many prisoners of conscience served their sentences. There were reportedly 36 prisoners to a cell. Production norms for prisoners making artificial jewellery were reportedly set so high that some prisoners had to work excessive hours – in some cases 12 hours a day, six days a week. Prisoners who did not meet the target allegedly had their food rations cut.

Amnesty International received reports that former prisoners of conscience who continued their dissenting activities, and their families, had been subjected to psychological pressure. Vaclav Maly and Ladislav Lis, who were released from pre-trial detention in December 1979, were reported to have been subjected to repeated interrogations and continuous police surveillance. On 7 January 1982 the police reportedly threatened Vaclav Maly with death. He has since been reported to have come under increased pressure from the police to emigrate. In June 1982 the wife of Ladislav Lis received two letters threatening her two children unless a ransom was paid. On 30 June 1982 Amnesty International urged the President to ensure the safety of the Lis family.

A discretionary death sentence is retained under the penal code, and one person was executed in August 1982 for murder.



Federal Republic of Germany

Amnesty International's concerns were the imprisonment of conscientious objectors to military service, the prosecution of people in violation of their right to freedom of expression and continued reports that some people suspected or convicted of politically motivated crimes were held in prolonged isolation.

Amnesty International appealed on behalf of several people convicted for their refusal on conscientious grounds to perform military service. Thomas Hansen, whose rejected application for conscientious objector status was based on moral and political considerations, had been convicted by the *Schöffengericht* (lay assessors' court) of Oldenburg on 7 October 1981 for his refusal to obey and sentenced to six months' imprisonment (see *Amnesty International Report 1982*). An appeal against the sentence was lodged with the *Landgericht* (regional court) of Oldenburg. Amnesty International

appealed to the authorities on 22 February, stating that it believed Thomas Hansen to be a genuine conscientious objector. On 23 March the court rejected his appeal and increased the sentence to 10 months. The chairman of the criminal court stated that the sentence should be regarded as a "deterrent" to those who "question and therefore endanger the defence readiness of the Federal Republic of Germany". Thomas Hansen then appealed to the *Oberlandesgericht* (state supreme court) of Oldenburg. On 6 July Amnesty International again appealed to the authorities on his behalf. On 23 August the court rejected his appeal. At the end of 1982 Thomas Hansen was still at liberty awaiting the outcome of a hearing concerning a constitutional aspect of his case.

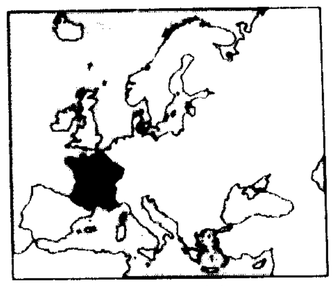
Amnesty International also intervened on behalf of Jurgen List, sentenced to six months' imprisonment for his conscientious objection to military service and imprisoned from 20 October to 30 December. Bernard Willeke, another conscientious objector (see *Amnesty International Report 1982*), was convicted at his trial on 29 March 1982 and fined. The Public Prosecutor's Office appealed against the court's decision, but the appeal had not been heard by the end of 1982.

Amnesty International continued to follow the cases of a number of people prosecuted for expressing opinions which the authorities regarded as constituting "support for a criminal association" in the sense of Article 129a of the criminal code. (See *Amnesty International Report 1982*.) Amnesty International believed that these prosecutions arose out of an excessively wide interpretation of the law, which might result in the violation of the defendant's right to freedom of expression. In some of the cases followed by Amnesty International the charges were dropped, in others the defendants were convicted and fined; the rest were still outstanding at the end of 1982.

The organization continued to receive complaints that prisoners of the Red Army Fraction and 2 June Movement were being held in prolonged isolation, either alone or in small groups. The conditions under which such prisoners are kept have been of concern to Amnesty International as a result of its finding that prolonged periods of isolation (whether in solitary confinement or small groups) had seriously affected prisoners' health. (See *Amnesty International Reports 1980, 1981* and *1982*.)

On 26 June Sieglinde Hofmann and Ingrid Barabass went on hunger-strike, complaining they were being held in isolation. They were supported by a number of other prisoners in Frankfurt-Preungesheim prison. On 14 July Amnesty International appealed to the Minister of Justice for Hesse, Dr Herbert Gunther, to prevent loss of life or danger to the health of the hunger-striking prisoners. Amnesty International also informed the Federal Minister of Justice, Dr Jürgen Schmude, of its concern. Amnesty International noted reports that the prisoners had been held in isolation and again called attention to its concerns regarding confinement of prisoners in conditions of isolation.

The Ministry of Justice for Hesse replied on 20 August 1982 that the prisoners, who had ended their strike on 2 August, had on many occasions been allowed to associate with other prisoners, but that they had not taken advantage of these opportunities.



France

Amnesty International's main concern was the continued imprisonment of conscientious objectors to military service. Prosecutions of unsuccessful applicants for conscientious objector status were suspended pending reform of the law. However, those conscientious objectors who had not applied for recognition as conscientious objectors and continued to reject both military and alternative service were imprisoned by military courts, *Tribunaux permanents des forces armees* (TPFA), Permanent Tribunals of the Armed Forces. These courts were abolished from 1 January 1983.

Amnesty International appealed for the release of 10 conscientious objectors in 1982. Amnesty International was especially concerned that they had been tried by the TPFA even while legislation providing for the abolition of these courts was under consideration by the government.

Jean Lamy, a Jehovah's Witness, joined his regiment at Pujol a Montbeliard on 4 August 1981. He refused to wear a uniform on religious grounds and was at once placed under *arrets de rigueur* (close arrest) until 7 October, when he was moved to the military prison at Metz. On 21 October he was transferred to the civilian prison of Metz-Queleu. On 19 January 1982 he was tried by the TPFA at Metz and sentenced to 18 months' imprisonment. He was released on 4 August 1982.

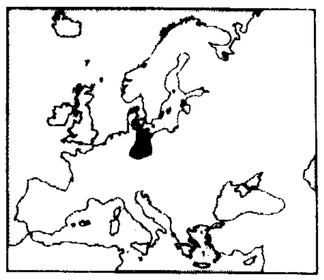
Two members of a Breton pacifist movement who had been sentenced to two years' imprisonment on 18 December 1981 for *insoumission* (insubordination) by the TPFA of Rennes were released in 1982. Bernard Corbel was released on 27 November and Herve Kerrain on 9 December (see *Amnesty International Report 1982*).

The number of imprisoned conscientious objectors fell considerably after the presidential amnesty of 1981 and the suspension of

prosecutions pending the reform of the law ordered by Charles Hernu, the Minister of Defence. The change was intended to broaden the grounds for recognizing conscientious objection to military service and a new bill was expected to be debated in parliament in early 1983.

The TPFA, which had heard cases involving military offences, including those of conscientious objectors, were abolished with effect from 1 January 1983. From then on such offences were to be judged by civilian judges. The TPFA were, however, to remain in operation in French Polynesia, Landau (for the French troops stationed in the Federal Republic of Germany) and in Paris (for French military personnel in Africa).

The introduction of the *Loi securite et liberte* (law of security and liberty) in February 1981 was of concern to Amnesty International, principally because it widened the applicability of the special summary procedure relating to *flagrants delits*, blatant misdemeanours. In Amnesty International's opinion the use of summary courts to give rapid judgments in cases where the facts were in dispute could prejudice a fair trial (see *Amnesty International Report 1982*). The government elected in May 1981 announced its intention to reform this law, in particular the use of the summary procedure known as *saisine directe* (direct referral to a court). However, by the end of 1982 the projected reform had not yet passed through all its legislative stages.



German Democratic Republic

As in previous years Amnesty International's main concern was the imprisonment of large numbers of prisoners of conscience. The majority were would-be emigrants, imprisoned either for leaving the country without permission or for persisting in expressing their wish to emigrate. Cases taken up during 1982 included other people imprisoned for exercising their right to freedom of expression, and conscientious objectors to military service. During 1982 Amnesty International worked on behalf of approximately 200 prisoners of conscience or people thought likely to be prisoners of conscience. However, it believed the actual number to be much higher.

The right to leave one's country is severely restricted for GDR citizens below the age of retirement. To leave the GDR, except for a holiday in other Warsaw Pact countries, requires special permission

which is very difficult to obtain. Those caught trying to leave the country without this permission face up to eight years' imprisonment for "illegal crossing of the border" (Article 213 of the penal code). Those who seek the help of organizations which assist people to cross the border illegally face additional prosecution for "treasonable activity as an agent" (Article 100 of the penal code). Article 100 carries a prison sentence of up to 10 years. During 1982 Amnesty International worked on behalf of more than 70 people imprisoned for peacefully trying to leave the country.

During the year large numbers of would be emigrants who sought to leave the country legally were also imprisoned. Applications for exit visas were usually turned down by the authorities and those who pursued the matter risked arrest on a variety of charges. Those who backed up their applications by threatening to go on hunger-strike or making some other kind of public demonstration were prosecuted for "impeding the activity of public bodies" under Article 214 of the penal code. This article carries a maximum sentence of three years' imprisonment. A typical case was that of Kurt John who, after applying in July 1982 for permission to emigrate, travelled on 1 October to Berlin (GDR) and handed his identity card to the border authorities to underline his wish to leave the country. He was arrested that day and sentenced on 9 December 1982 to 10 months' imprisonment under Article 214. Some would-be emigrants were prosecuted for "anti-social behaviour" under Article 249 of the penal code. Article 249 defines failure to remain in steady employment as one form of anti-social behaviour and provides a prison sentence of up to two years. Erwin Eisbrenner, after several unsuccessful applications to emigrate, refused to work and lived on his savings. He was arrested on 13 July 1982 and sentenced to 22 months' imprisonment for "anti-social behaviour".

Other would-be emigrants, frustrated by repeated rejection of their applications for exit permits, sought the help of foreign organizations in the hope that support or publicity abroad would improve their chances of emigration. Many were arrested and convicted either of "treasonable passing on of information" (Article 99 of the penal code) or "treasonable activity as an agent" (Article 100). Articles 99 and 100 carry prison sentences of two to 12 years and up to 10 years respectively. Article 99 proscribes sending non-classified information "to the disadvantage of the interests" of the GDR to "foreign organizations . . . and their helpers", and Article 100 proscribes taking up contact with such organizations "in order to damage the interests" of the GDR. A typical case taken up during 1982 was that of Christian Muller and his wife Heidemarie, who were arrested on 6 April 1982 and sentenced on 4 August to prison terms of two years six

months (Christian) and three years six months (Heidemarie) under Article 99 of the penal code. Both had been seeking exit permits since January 1981 and the charge appeared to be based on contacts they had made with people in the Federal Republic of Germany (FRG) in connection with their wish to emigrate.

In addition to would be emigrants, cases worked on in 1982 included imprisoned Marxist dissenters, conscientious objectors to military service and people arrested for expressing sympathy with the Polish trade union Solidarity.

Manfred Wilhelm and Andreas Bortfeld, two members of a dissenting Marxist Leninist group whose cases were described in the *Amnesty International Report 1982*, were tried in June and July respectively and sentenced to eight years' imprisonment for "incitement hostile to the state" (Article 106 of the penal code). All the available information indicates that these charges were brought in connection with the production and distribution of literature critical of socialism as practised in the GDR. Other members of the group were also imprisoned.

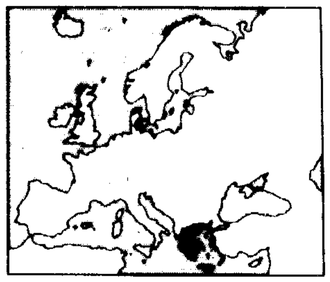
During 1982 Amnesty International learned of a number of people imprisoned for refusing on grounds of conscience to do military service. GDR law makes some provision for those who object "for religious or similar reasons" to armed military service, by allowing them to work in "construction units" where conscripts perform such tasks as the construction of military installations. However, as there is no alternative service outside the country's military and defence system, Amnesty International adopted four prisoners of conscience imprisoned for refusing to do either form of military service in 1982. Some church members continued to call for the establishment of a non-military alternative service (see *Amnesty International Report 1982*).

Amnesty International also worked on behalf of a number of people imprisoned for refusing on grounds of conscience to do service in the army reserve. GDR citizens who have completed national service are liable, until they are 50, to be called up to serve in the army reserve for up to three months a year. The total period a man is liable to spend in the army reserve was increased from 21 to 24 months by a new law which came into force on 1 May. A conscript who has completed service in the army but who later develops conscientious objections to armed military service is not able to choose reserve service in the "construction units". During 1982 Amnesty International worked on behalf of three men imprisoned for six to eight months for refusing on grounds of conscience to do armed reserve service.

The arrests of Michael Blumhagen, Roland Jahn and Manfred Hildebrandt, from the town of Jena in the south-west of the GDR, illustrated some of Amnesty International's concerns during 1982. Before their arrest they had been involved in commemorating the death of their friend, Matthias Domaschk, who died in the custody of the state security service on 12 April 1981. The death was reported to be a suicide but his friends thought this unlikely, above all in pre trial detention where elaborate precautions are taken to prevent it. Michael Blumhagen, an amateur sculptor, dedicated one of his works to Matthias Domaschk and placed it beside his grave on 9 April 1982 shortly before the first anniversary of his death. A few days later the statue disappeared; Manfred Hildebrandt took a photograph of four men alleged to be from the state security service removing the statue. This photograph was published in the FRG weekly *Der Spiegel* on 28 June 1982. On 3 June Michael Blumhagen was called up to serve in the army reserve. This he refused on grounds of conscience and was in consequence sentenced to six months' imprisonment. He was released in December 1982. Manfred Hildebrandt was arrested on 23 September and sentenced on 28 December to 16 months' imprisonment for distributing abroad "information which is suited to damage the interests" of the GDR under Article 219 of the penal code and "public vilification" (Article 220). These charges were believed to be connected with the photograph of the removal of the statue and other photographs taken by him. His imprisonment might also be connected with a letter he had written on 19 September to Rainer Eppelmann, a pastor in Berlin (GDR). The letter expressed support for a petition calling for the withdrawal of foreign troops from both the Germanies and for non-military alternative service. On 31 August 1982, the second anniversary of the Gdansk Agreement recognizing independent trade unions in Poland, Roland Jahn rode through the town of Jena with a small Polish flag attached to his bicycle bearing the words "Solidarity with the Polish people". He was arrested on 1 September and at the end of 1982 was still in pre-trial detention. Michael Blumhagen, Roland Jahn and Manfred Hildebrandt were all adopted by Amnesty International as prisoners of conscience.

In May 1982 Amnesty International submitted the cases of 28 prisoners of conscience in the GDR to the United Nations under the procedure for monitoring human rights violations set up under ECOSOC (Economic and Social Council) Resolution 728F.

Prisoners continued to be released to the FRG after serving only part of their sentence in return for sums of money paid by the FRG Government. Although it welcomed the release of prisoners of conscience, Amnesty International was concerned that conditions were imposed on these releases and sought to remind the GDR Government of its obligations under international law to release prisoners of conscience without conditions.



Greece

Amnesty International's main concern was the continued imprisonment of Jehovah's Witnesses for refusing on conscientious grounds to perform military service. The organization was also concerned by several allegations of torture of people charged with criminal offences.

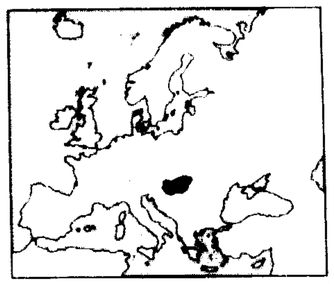
In recent years Jehovah's Witnesses have not usually been made to serve more than one term of imprisonment for their refusal to perform military service. However, on 29 March, Law 1240/82, which provides for the early release of certain categories of prisoners, came into effect. Some Jehovah's Witnesses were released as a result, but most of these were almost immediately called up again for military service and rearrested when they refused. By the end of 1982 Amnesty International had received information about two such prisoners. John Parayios was sentenced to a further six months' imprisonment and a fine and was released on 11 November. Konstantinos Theodorakis was also imprisoned for a further six months, but after his release on 13 November he was again called up and when he again refused was reimprisoned. His trial was due to take place on 1 February 1983.

Jehovah's Witnesses are usually sentenced to between four and five years' imprisonment, but during 1982 Amnesty International learned of several sentences of up to 12 years being passed. These were, however, reduced to the usual length on appeal. At the end of 1982 Amnesty International was working for the release of 16 conscientious objectors but was informed that the number of imprisoned conscientious objectors at any time was usually well above 100.

The Greek daily newspaper *Avghi* reported on 10 March 1982 that Yannis Manolakos, a prisoner in Patras prison, was suing the Patras Criminal Prosecutor. On 22 February he and three others – Dimitrios Papathanasiou, Vasilis Gogos and Dimitrios Trachanas – were allegedly beaten and tortured in the head warder's office in order to make them confess and Dimitrios Trachanas was taken to hospital as a result. Amnesty International sent a letter of inquiry concerning the incident to the Minister of Justice, Efstathios Alexandris, on 26 March. A reply dated 24 June was received stating that "after conclusion of the preliminary investigation, the criminal file assembled on the four police employees said to be responsible has been sent to the 3rd Prosecutor of Patras with instructions to conduct the main investigation of the above police employees . . . We will let you know

the result of the above case immediately after the Criminal Court has issued its verdict." Amnesty International had not received any further information by the end of 1982.

Several further allegations of torture in police stations and prisons were received by Amnesty International from foreigners who had served sentences on criminal charges in Greek prisons. The allegations referred to beatings, *falaka* (beating on the soles of the feet) and electric shocks.



Hungary

Amnesty International was concerned about the imprisonment of prisoners of conscience; these included three imprisoned conscientious objectors to military service and several foreign citizens imprisoned for assisting friends or relatives to exercise their right to freedom of movement. In December Amnesty International learned that Tibor Pakh, a former prisoner of conscience who was in 1981 forcibly confined for over two weeks in a psychiatric hospital, had once more been confined for a similar period, again for protesting to the authorities about infringements of basic human rights. Amnesty International was also concerned by three executions.

In February 1983 the Procurator General stated that in 1982 there had been 57 cases of offences against the state, in comparison with 79 the previous year. According to official statistics of recent years, the majority of people accused of such offences were charged with "incitement" for verbal statements they had made, often under the influence of alcohol. Under Article 148 of the criminal code people who incite others to hatred of Hungary's constitutional order or allies, as well as those who incite to national, racial or religious hatred, may be imprisoned for one to five years. Two to eight years' imprisonment is prescribed in certain circumstances. It has been alleged that this article has in some cases been used to penalize people who did not incite to hatred or violence but who simply expressed views and beliefs disapproved of by the authorities.

Military service is compulsory in Hungary and the law does not allow any exemption or alternative service to those who refuse conscription for reasons of conscience. Refusing conscription is an offence punishable under Article 336 of the criminal code with up to five years' imprisonment (five to 15 years in time of war). In practice,

however, it appears that since 1977 conscientious objectors of the small Nazarene (Christian) sect have been allowed to do alternative service. To Amnesty International's knowledge no official figures were published for people imprisoned for conscientious objection to military service. One unofficial source alleged in August that at any one time there were more than 100 conscientious objectors serving prison sentences. However, in May an article in the unofficial periodical *Beszelo*, which advocated alternative unarmed service for conscientious objectors, estimated that only a few dozen young people would be affected.

The only imprisoned conscientious objectors known to Amnesty International were members of Roman Catholic communities, of whom four were reported to be serving sentences in May. Amnesty International had details of and had adopted three as prisoners of conscience, two of whom were tried in 1982. Gabor Csizmadia, aged 24 from Budapest, received a sentence of two years and eight months' imprisonment which on 2 April was confirmed on appeal by the Military Council of the Supreme Court. In April Bela Simonyi, a forestry engineer from Szekesfehervar, was sentenced to 14 months' imprisonment for refusing to serve the remaining six months of his military service (six years earlier, before becoming a pacifist, he had completed one year of service). Both men had asked to do alternative unarmed service.

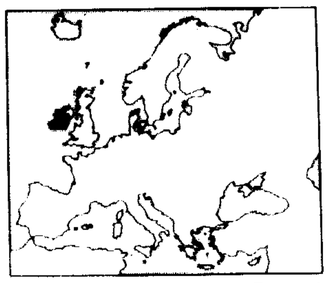
According to official figures 818 people, two thirds of them foreign citizens, attempted in 1982 to cross the Hungarian border without authorization, an offence punishable under Article 217 of the criminal code by up to three years' imprisonment. Amnesty International learned of several citizens of the Federal Republic of Germany (FRG) who were reported to have been imprisoned in Hungary for attempting to assist citizens of the German Democratic Republic (GDR) to cross without authorization the border from Hungary into Austria. GDR citizens below retiring age are rarely permitted to travel to Western Europe but are generally allowed to visit Hungary and other Warsaw Pact countries. Cases known to Amnesty International included Jeno Voss, aged 36 from West Berlin, who was in June sentenced to three months' imprisonment by a Hungarian court for aiding his fiancee, a GDR citizen, in an attempt to cross the border into Austria without authorization. On 2 November 1982 Hans Erhard Hauer, also from West Berlin, was sentenced to five months' imprisonment for trying to smuggle his fiancée and her brother (GDR citizens) from Hungary into Austria in his minibus. Amnesty International considered both these men to be prisoners of conscience.

During the year there were signs that official attitudes towards dissenting circles in Budapest had hardened. On a number of occasions

members of these circles were arrested and held for short periods in connection with activities such as publishing or selling unofficial uncensored publications or distributing leaflets critical of Hungary's military policies at an official peace demonstration.

On 31 August Gabor Demszky, Miklos Haraszti, Balint Nagy, Laszlo Rajk and Tibor Pakh were held for questioning by police after a demonstration by some 100 people in Budapest in support of the suspended Polish trade union Solidarity. On 13 October Tibor Pakh, a graduate in law, began a hunger-strike in protest against harassment to which he and certain other demonstrators had been subjected by officials. As a result Dr Pakh was forcibly confined from 26 November to 15 December in a psychiatric hospital where he was said to have been forcibly fed and drugged with haloperidol. In April Professor Charles Durand, a doctor from Switzerland associated with the Swiss Association Against the Abuse of Psychiatry for Political Ends, had examined Dr Pakh and had declared him to be completely sane.

Five death sentences were imposed in 1982. Amnesty International learned of three executions for murder. Ferenc Kohanyi was executed on 5 February; Istvan Juhasz on 6 April; Janos Vajda on 3 September. The death penalty was imposed on Janos Vajda by the Supreme Court which changed a sentence of life imprisonment passed by a lower court.



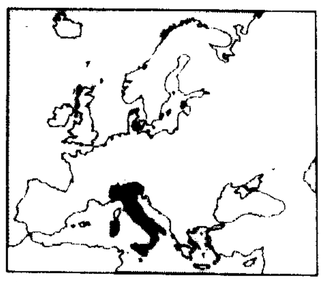
Ireland

On 16 November 1982 Amnesty International wrote to the Minister of Justice, Sean Doherty, about the case of Eamonn Kelly (known as Nicky Kelly), who was serving a sentence of 12 years' imprisonment. Eamonn Kelly, a member of the Irish Republican Socialist Party, was arrested in April 1976 and convicted of armed robbery along with two others, Bernard McNally and Osgur Breatnach. In May 1980 Amnesty International had sent an observer to the hearing of the appeal by Osgur Breatnach and Bernard McNally in the Court of Criminal Appeal, which acquitted both men on the grounds that their confessions were not admissible as evidence. Eamonn Kelly had absconded from Ireland during his trial and returned only after the successful outcome of his co-accuseds' appeal. His appeal to the Court of Criminal Appeal was rejected on 2 April 1982. In September

Amnesty International sent an observer to the appeal hearing in the Supreme Court, which dismissed his appeal on 29 October.

Amnesty International was concerned about the acceptance of confessions in evidence despite complaints that they were extracted under ill treatment. Eamonn Kelly was convicted solely on the basis of a confession which he claimed was not voluntary. By mutual account, he was held incommunicado for 60 hours after arrest and made his confession only after prolonged questioning and prolonged sleep deprivation. Eamonn Kelly also alleged that he had been beaten into making the confession. This allegation was denied by the police and was not accepted by the trial court or the appeal courts. In its letter to the Minister of Justice, Amnesty International pointed out that his allegation related to a time – April 1976 – when ill treatment of suspects in cases with a political element did occur in police stations, in circumstances like those described by Eamonn Kelly, according to the findings of an Amnesty International mission to Ireland in June 1977.

On 16 December, following elections and the inauguration of a new government, Amnesty International wrote again to express its concerns to the newly appointed Minister of Justice, Michael Noonan. By the end of 1982 Amnesty International had not received a reply.



Italy

Amnesty International's main concern in 1982 was the delay in trying people accused of politically motivated crimes. This led to excessively long periods of detention for defendants; over three years in the case known as "7 April". Other concerns were the imprisonment of conscientious objectors regarded by Amnesty International as prisoners of conscience, and allegations of torture and ill-treatment of prisoners. There was a marked increase in such allegations and these were the object of wide judicial investigation.

The Urgent Measures for the Protection of the Democratic Order and Public Security introduced in February 1980 (see *Amnesty International Report 1980* and *1981*), extending time limits in the judicial process, remained in force although the government authorized one additional assize court in Rome to reduce the backlog of cases.

Amnesty International was concerned by the undue delay in bringing the "7 April" defendants to trial (see *Amnesty International Report 1982*). Amnesty International sent an observer to the first hearing of the case in Rome on 7 June. Some of the defence lawyers objected to the trial taking place in the same court as the trial of those charged with the kidnapping and murder of the former Prime Minister, Aldo Moro. The hearing was, therefore, postponed until 9 November.

Amnesty International again sent an observer. The trial was postponed once more, until February 1983, this time because the President of the Court of Assizes declared that it should not proceed while the "Moro" trial was still in progress. By the end of 1982 some defendants had been held for between 36 and 44 months awaiting trial.

The majority of the defendants were academics, journalists and teachers who had allegedly been associated with a movement called *Autonomia Operaia*, Workers' Autonomy. The best known was Antonio Negri, professor of political science at Padua University and lecturer at the Sorbonne in Paris. The arrests took place after the kidnapping and murder, between March and May 1978, of the former Prime Minister, Aldo Moro, by the Red Brigades. Most of those arrested in April and in the subsequent wave of arrests on 21 December 1979 had been involved some years earlier with an organization called *Potere Operaio*, Workers' Power. This was a left-wing grouping in the late 1960s and early 1970s which advocated mass working-class revolt against the capitalist system and state. It was not an illegal or clandestine organization. There were, at the end of 1982, 140 people charged in connection with the "7 April" case under the jurisdiction of the courts of Rome and Padua. All defendants were charged *inter alia* with "subversive association" and "participation in or formation of an armed band". Some of the defendants were also charged with "insurrection against the powers of the State" and faced a mandatory life sentence if convicted. A number of these individual cases were under investigation by Amnesty International.

Amnesty International consistently criticized the length of time a person might spend in prison in Italy under the law, while legal proceedings continued. With the extended time limits granted by the urgent measures of February 1980 this could mean, in the most serious cases, a period of 10 years and eight months before a final verdict.

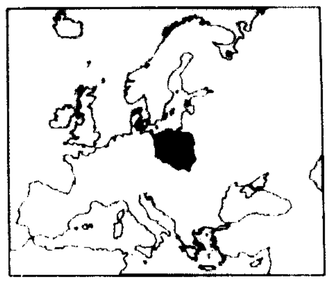
The problem of the delay in hearing cases and the possibility of releasing prisoners into provisional liberty, if not tried within the time limits, was addressed by the Procurator General of the Court of Cassation. In his report of the past judicial year he described the establishment of one additional assize court in Rome to cut the backlog as "a totally inadequate and insufficient measure which will have no effect".

The prisoners of conscience known to Amnesty International were conscientious objectors to military service. The reform of the laws on conscientious objectors continued with proposals for a new law to replace the existing Marcora Law on conscientious objection (see *Amnesty International Report 1982*). The draft bill presented by the Minister of Defence, Lelio Lagorio, recognized that the existing law had "disadvantages and defects making a revision of it indispensable". It was awaiting examination before the Defence Commission of the Senate. On 24 December Amnesty International wrote to the Minister welcoming the new draft bill and in particular the proposal to reduce the length of alternative service from 20 to 16 months. However, the organization was concerned that the bill appeared to make no provision for recognizing political grounds for conscientious objection and no allowance for volunteers for military service who subsequently changed their views and became conscientious objectors. It also appeared that the responsible authorities were not obliged to explain their reasons for rejecting a request for alternative civilian service.

Sporadic allegations of torture and cruel, inhuman or degrading treatment had been received and investigated by Amnesty International in previous years. However, 1982 saw a sharp increase in the number of allegations, in particular with relation to arrests made at the time of the kidnapping of the NATO Chief of Staff, Brigadier-General James Lee Dozier, and after his release on 28 January 1982. Amnesty International received information on approximately 30 cases, some of which were supported by medical reports.

On 16 March Amnesty International wrote to the Minister of the Interior, Virginio Rognoni, to express its concern at the number and scope of recent allegations. It requested the Minister to review the police procedures followed in cases in which allegations of ill-treatment had been made publicly. Some of these allegations were already being investigated following earlier formal complaints. However, new allegations continued to be made. Amnesty International in its letter referred specifically to the testimony of Anna Rita Marino who was arrested in Rome on 2 March. She stated that after her arrest she was stripped naked, slapped in the face and beaten on her head, stomach and legs. Her nipples were twisted with an unidentified instrument. A medical examination on 11 March in the women's section of Rebibbia prison referred to skin contusions and bruises on her right and left breasts and thighs. The allegations of ill-treatment made in court in Verona on 8 March by Cesare di Lenardo were also mentioned. Di Lenardo alleged that not only he, but also his co-defendants, had been ill-treated. The investigating judge issued arrest warrants in June against five police officers after a four-month investigation. The

Minister of the Interior publicly criticized this as giving "rise to much perplexity and bitterness". The police officers were finally released and reintegrated into their forces after transfer. However the Deputy Prosecutor of Padua subsequently recommended that they should be tried.



Poland

Amnesty International's major concern was the internment and imprisonment of many thousands of prisoners of conscience which followed the imposition of martial law on 13 December 1981. Their numbers were difficult to estimate and fluctuated over the year. On 9 December official sources stated that in the past year 10,131 people had spent time in internment and 3,616 people had been arrested on political charges. Figures cited by unofficial sources were almost always much higher. In addition, several thousand people were reported to have been administratively sentenced to up to three months' imprisonment or fines for activities such as taking part in protest demonstrations. Amnesty International considered all internees to be prisoners of conscience; it urged their release and the revocation of the measure of internment under which people were held without charge or trial. Amnesty International welcomed the end of internment with the suspension of martial law on 30 December 1982, but remained concerned about the large and increasing number of prisoners of conscience arrested, charged or sentenced for the non-violent exercise of their human rights. Official sources said that at the end of the year about 1,500 people were serving prison sentences or detained awaiting trial for political offences. Unofficial sources estimated that between 2,000 and 2,500 people were imprisoned during the year for political offences and an unknown number were awaiting trial. Information from official and unofficial sources indicated that the majority were prisoners of conscience. Amnesty International worked for the release of some 300 about whom it had obtained details. It called for the release of all others imprisoned for the non-violent exercise of their rights.

Amnesty International was concerned also that most people convicted of political offences were tried under summary proceedings which limited legal safeguards for the accused and excluded the right of appeal. There were a number of complaints that internees and

prisoners had been intimidated or physically ill-treated. Conditions of imprisonment and internment were often described as poor. During the year 12 death sentences were passed and Amnesty International learned of two executions for murder.

Following the imposition of martial law many basic human rights were restricted. On 29 January the Polish Government, invoking public emergency, informed the Secretary General of the United Nations of its derogation from articles of the International Covenant on Civil and Political Rights concerning the right to liberty and security of person, to freedom of movement, to judicial appeal, to freedom of expression, assembly and association.

Internment, introduced with martial law, was most widely applied during the first month, when some 6,800 people were officially acknowledged to have been interned. Although some internees were released in December 1981 and there were releases throughout 1982, new internments continued to take place as late as November. According to official statements, internees were not suspected or accused of any crime, they were interned because their past conduct gave rise to "justified suspicion that if they remained at liberty they would not observe legal order or would engage in activities endangering the interests of the security or defence of the State". Internment was enforced by the militia with no court supervision. There was no fixed term for internment, which could, and in some cases did, last for the duration of martial law. Those interned included most members of the National Commission of the independent trade union Solidarity, Solidarity advisers, regional officials, members and supporters, members of independent farmers' and students' unions, members of civil and human rights groups and other people officially regarded as opponents of the government. Lech Walesa, Solidarity's leader, was placed under house arrest.

Internees were held in "isolation centres" in prisons, reformatories and in worker and army holiday accommodation. With the exception of women detainees and well-known intellectuals held in holiday centres, most internees experienced conditions described as cold, unhygienic and overcrowded. Internees frequently reported that they were interrogated by the state security police and pressed to collaborate with police, to emigrate or to sign a statement that they would not engage in anti-state activity, as a condition for release. A number of internees complained that they had been denied medical treatment or that this had been delayed. There were also allegations that internees had been beaten by guards; such incidents, for instance, were reported to have taken place on 13 February at Wierzchowo Pomorskie, on 25 March at Ilawa and on 14 August at Kwidzyn. In the last case six internees were said to have been badly injured and hospitalized.

Priests and delegates from the International Committee of the Red Cross were allowed to visit internees throughout the year.

The majority of people imprisoned for political offences during 1982 had expressed opposition to martial law by strikes, demonstrations, leaflets or clandestine trade union activity. Most were convicted of "martial law offences", that is, of violating Articles 46-48 of the Martial Law Decree of 12 December 1981. This penalized participating in a suspended trade union or association, organizing strikes or protest actions and printing or disseminating "false information liable to arouse public anxiety or riots". Most such cases reported to Amnesty International were tried by special summary proceedings introduced under martial law. In these proceedings pre-trial detention was compulsory and most detainees did not have access to a lawyer during investigation; various procedural time limits were reduced and heavier penalties imposed: a minimum of three years' imprisonment and loss of civil rights for up to 10 years. The accused had no right of appeal. In some cases, however, sentences were increased after an "extraordinary appeal" by the Procurator General. Certain martial law offences were tried by military courts, involving further restrictions, for example on public access to the court and on the accused's choice of lawyer. The majority of sentences imposed under summary proceedings for martial law offences in cases known to Amnesty International were of three to four years' imprisonment. Some lower sentences were imposed under normal proceedings, and there were also acquittals.

Amnesty International was also concerned about allegations that political prisoners had been severely beaten by prison guards. Prisoners in Gdansk prison, including some 15 prisoners of conscience, were reported to have been attacked and beaten by guards on 23 July after rumours had circulated within the prison that inmates were about to start a hunger-strike. Some 20 younger prisoners were forced to take a very hot shower and beaten again. Police dogs were alleged to have been set on certain prisoners.

During 1982 the number of people convicted of political offences grew rapidly. By 21 January more than 150 Solidarity activists had been imprisoned and by late March over 500. Among the first prisoners of conscience adopted by Amnesty International was Jerzy Kaniewski, a worker who was tried by a court in Warsaw in January, together with three others, on charges of having organized a protest strike at Ursus tractor factory on 14 December 1981. He was sentenced to three and a half years' imprisonment; two co-defendants each received three-year prison sentences. At the trial defence counsel argued that the strike had been spontaneous and stressed that the decree banning strikes had not been officially published until 18 December and could not be applied retroactively. Another prisoner of

conscience adopted by Amnesty International was Ewa Kubasiewicz, aged 43, a library curator at a naval college, and a Solidarity official. She and eight others were tried by a naval court in Gdynia in February. They were accused of leading a strike at the college on 14 and 15 December and of distributing a protest leaflet. She was sentenced to 10 years' imprisonment, the severest penalty for a martial law offence reported to Amnesty International during 1982. Her co-defendants, who included her son, received prison sentences of between three and nine years.

Following demonstrations in May and June more people were interned and arrested. During July, however, Solidarity's clandestine leadership called a halt to demonstrations and on 21 July, Poland's national day, General Wojciech Jaruzelski announced the release of all but 637 internees. On 26 July Amnesty International wrote a letter to General Jaruzelski welcoming these releases but stating that further steps were urgently needed to protect human rights. Amnesty International said that internationally recognized standards could be achieved only by the release of the remaining internees and by an amnesty for all those imprisoned for non-violent political activities. At that time different sources indicated that between 1,500 and 2,000 people had been sentenced by courts for martial law offences.

There were repeated demonstrations against martial law during August. The most widespread – affecting some 66 towns throughout the country – occurred on 31 August, the anniversary of the Gdansk agreement of 1980 between striking shipyard workers and the government. Five people were reported to have been killed in clashes between demonstrators and the police. Over 5,000 people were officially reported to have been arrested. Many were fined; others were interned or imprisoned. The following day the authorities announced that there was evidence that the demonstrations had been organized by members of the *Komitet Obrony Robotnikow* (KOR), the Committee for the Defence of Workers, an unofficial human and civil rights group founded in 1976. Several leading KOR members became advisers to Solidarity; in September 1981 it was voluntarily disbanded. On 3 September 1982 KOR members Jacek Kuron, Adam Michnik, Henryk Wujec and Jan Litynski, who had been interned for nine months, were placed under arrest on charges of "making preparations for the violent overthrow of the Polish socio-political system" under Articles 123 and 128(1) of the criminal code. Proceedings *in absentia* were started against two other KOR members – Jan Jozef Lipski and Miroslaw Chojecki – who were abroad. In mid-September Jan Jozef Lipski, who had been receiving treatment for a serious heart condition, returned to Poland and was arrested. Amnesty International urged that these men be granted full

legal safeguards, including access to defence counsel and a fair and open trial. It also informed the authorities of its intention to send two observers to the trial.

On 8 October a military court convicted four members of the *Konfederacja Polski Niepodleglej*, the Confederation for an Independent Poland, an unofficial political group. They had been on trial since June 1981 (see *Amnesty International Report 1982*). They were found guilty of having founded an illegal organization aimed at the violent overthrow of Poland's socio-political system. Leszek Moczulski, the leader, was sentenced to seven years' imprisonment; two others received five-year sentences and the fourth a suspended prison sentence. To Amnesty International's knowledge they had not advocated violence and they were adopted as prisoners of conscience.

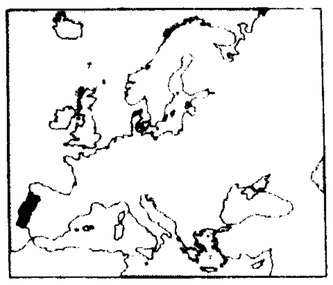
On 8 October Solidarity, until then suspended, was formally banned. A new law passed by the *Sejm* (parliament) dissolved all existing trade unions and laid down regulations for forming new trade unions. Workers at the Lenin Shipyard in Gdansk, the birthplace of Solidarity, went on protest strike on 11 October and street demonstrations took place. The next day the shipyards were militarized and workers obliged to return to work, but demonstrations broke out in Wroclaw, Poznan and in Krakow where a young worker, Bogdan Wlosik, was shot dead by riot police. This was the 17th officially acknowledged death in clashes between demonstrators and police since the imposition of martial law. There were further arrests and internments following demonstrations on 10 November, the second anniversary of the official registration of Solidarity.

Two days later Lech Walesa was released. On 23 December all remaining internees were freed except seven leading Solidarity officials: Andrzej Gwiazda, Marian Jurczyk, Jan Rulewski, Seweryn Jaworski, Karol Modzelewski, Grzegorz Palka and Andrzej Rozplochowski. They were charged with seeking the violent overthrow of the Polish socio-political system, but Amnesty International knew of no evidence that they had used or advocated violence. Arrests and trials continued through November and December.

On 30 December martial law was suspended and new legislation came into force. This eased several martial law restrictions and ended internment. However, it ensured that certain major martial law restrictions continued. For example, the criminal code was amended to make it an offence punishable by up to five years' imprisonment to produce, possess or distribute "anti-state publications". Although the martial law ban on public gatherings was lifted, a penalty of up to three years' imprisonment was introduced for actions "intended to incite public unrest". Political offences were no longer to be tried by summary proceedings but military courts retained jurisdiction over

crimes "against the fundamental political interests of the state". However, an accelerated procedure was introduced for the State Council to review applications for clemency by people convicted of martial law offences. Some 700 people were officially stated to be eligible to apply for clemency.

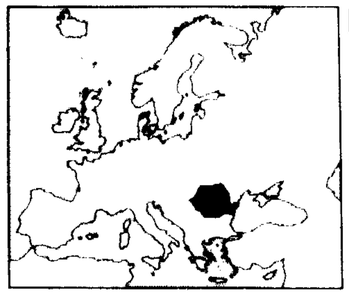
In November the Ministry of Justice stated that the severity of penalties for serious crimes such as murder had been increased during martial law. During 1982 nine death sentences were passed for murder; in addition, three Polish diplomatic officials who defected were sentenced to death *in absentia* on charges of treason. On 27 September the Polish press reported that Jan Sojda and Jozef Adas, sentenced to death in 1979 for murder, had been executed.



Portugal

Amnesty International was concerned about the length of legal proceedings against alleged members of the *Partido Revolucionario do Proletariado* (PRP), Proletarian Revolutionary Party, some of whom had been in prison since June 1978. They were arrested in connection with bank robberies and bomb explosions allegedly carried out by PRP members.

In July 1982 the Constitutional Commission upheld the decision of the Supreme Court to annul the original convictions (see *Amnesty International Report 1982*). The principal accused Isabel do Carmo and Carlos Antunes, who were never accused of being directly implicated in the robberies and explosions, and Fernanda Fraguas were released into provisional liberty. The position with respect to a retrial was not known. Eleven alleged members of the PRP had announced their intention to appeal for a presidential amnesty.



Romania

Amnesty International was concerned about the imprisonment of prisoners of conscience, many of them would-be emigrants or religious dissenters. Amnesty International was also concerned about lack of fair trial procedures for people charged with political offences. It received a number of allegations of ill-treatment of people arrested for political reasons and prison conditions were reported to be poor. It also received reports of two people forcibly confined in psychiatric hospitals for the non-violent exercise of basic human rights. During the year Amnesty International worked for the release of 50 prisoners of conscience, but it believed that the total number of prisoners of conscience was much larger.

In August, 11 religious dissenters who had been adopted by Amnesty International as prisoners of conscience were released. There were further releases of prisoners of conscience following the announcement on 29 December of a presidential decree. This decree pardoned and released people sentenced to up to five years' imprisonment or corrective labour. In addition, sentences of between five and eight years' imprisonment or corrective labour were reduced by one sixth. The decree excluded recidivists and people convicted of violent crimes, bribery, corruption and escaping from prison. Amnesty International later learned of, and welcomed, the release under this decree of the majority of adopted prisoners of conscience held in late 1982.

As in past years, many people experienced official harassment and were sometimes imprisoned as a result of having applied to emigrate. Would-be emigrants continued to be liable to summary trial, without legal defence, on charges of "parasitical" or "anarchic" conduct under decree 153/1970. This provides for up to six months' imprisonment or "corrective labour without deprivation of liberty". Under the latter penalty the convicted person is assigned to a particular place of work, may not leave the area without the permission of the local militia and receives greatly reduced wages. Prisoners convicted under this decree included Paul and Polina Dragu, from Tirgu Jiu. They were sentenced to six and four months' imprisonment respectively in January after they and their four daughters went on hunger-strike in protest against official harassment and refusal to allow them to emigrate.

Amnesty International adopted as prisoners of conscience 12 would be emigrants who in July were sentenced to three years' imprisonment each by a court in Bucharest. They had written joint letters to the authorities complaining that their applications to emigrate had been rejected. They had also applied to the Procurator's Office for permission to hold a public demonstration in support of their demand to be allowed to leave the country. They were convicted under Article 323 of the criminal code of "association with intention to commit an offence".

Amnesty International learned of several people who had been imprisoned for trying to leave the country without authorization, having failed to obtain official permission to emigrate. Article 245 of the criminal code dealing with "fraudulent crossing of the border" makes this an offence punishable by imprisonment or corrective labour for between six months and three years. Two couples from Caransebes – Luca and Varsavia Arnaut and Nicolae and Maria Olaru – were reported to have been sentenced to 14 months' imprisonment each for this offence in June.

Amnesty International received details of two cases in which would-be emigrants were alleged to have been forcibly confined to a psychiatric hospital. On 6 February Mihai Baba from Bucharest was allegedly arrested and forcibly confined in the psychiatric unit of hospital No. 9 in Berceni after he and four friends had gone on hunger-strike in support of their demand to emigrate. Amnesty International did not know how long his confinement lasted; by the end of the year he and three of his friends had been allowed to leave the country. It was also alleged that Ildi Gergely, aged 23 from Timisoara, had been forcibly confined in a psychiatric hospital in Jebel for one month after her arrest in December 1981 while trying to cross the border into Yugoslavia. She was later reported to have received a prison sentence but by March 1982 had been released.

As in past years there were reports of the arrest and harassment of active Christians, many of them members of Protestant evangelical sects. In a number of cases they were imprisoned for having infringed official restrictions on religious freedom, in particular on the dissemination of religious literature. Prisoners adopted by Amnesty International included Dr Silviu Cioata, a preacher of the Brethren Church and a member of the Romanian Christian Committee for the Defence of Freedom of Religion and Conscience (ALRC). This latter organization was founded in 1978 by a group of Christians, the majority of them Baptists, who were critical of official restrictions on religious freedom. In March a court in Ploiesti sentenced Dr Cioata and seven others to prison terms of between five and six years. They were found guilty of having violated customs and press laws by distributing Bibles

smuggled into the country. Amnesty International considered that Dr Silviu Cioata and his co-defendants had not been motivated by commercial profit but by religious belief, and that they were prisoners of conscience. In August it was reported that all eight had been pardoned and released.

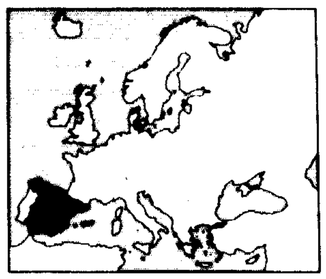
In November Amnesty International expressed its concern to the Romanian authorities about the arrest on 6 November of Geza Szocs, aged 29, a poet from Cluj. He was reportedly detained together with at least four other people from Cluj and Oradea, who, like him, were members of Romania's Hungarian minority. Their arrest followed the publication of a memorandum in an unofficial Hungarian-language journal produced in Romania. The memorandum was addressed to the participants of the Madrid meeting of the Conference on Security and Cooperation in Europe and claimed that the Hungarian minority was the object of an official policy of assimilation. Geza Szocs and those arrested with him were reported to have been released within four or five days after having been threatened with being charged with treason. Geza Szocs was reportedly detained again from 9 to 15 December, but legal proceedings against him and four others were halted.

Prisoners of conscience adopted by Amnesty International who had not been released by the end of the year included several serving particularly long sentences. One of these, Father Calciu-Dumitreasa, aged 56, a Romanian Orthodox priest, continued to serve a 10-year sentence imposed in 1979 (see *Amnesty International Report 1980*). Another, Carmen Popescu, aged 40, was sentenced to six years' imprisonment in 1981 under Article 166 of the criminal code dealing with "propaganda against the socialist state". Dragos Oloieru, aged 59, from Radauti, a former political prisoner, was also convicted under Article 166. He was accused of writing some 20 letters during 1981 to the Romanian authorities and to humanitarian organizations and radio stations abroad. Only one of the letters addressed abroad reached its destination. In this letter Dragos Oloieru stated that he had been unfairly dismissed from work at the end of 1980 and that his many efforts to obtain redress from local judicial and party officials had been ignored. On 29 May 1981, together with three others, he went to Bucharest to seek an interview with officials of the Central Committee of the Romanian Communist Party, but was turned away and threatened with psychiatric confinement. He was arrested in December 1981. At his trial on 13 January 1982 a military court reportedly found that he had "disparaged the central organs of the party and thus the social order of our country" and sentenced him to eight years' imprisonment.

Amnesty International was also concerned by reports that a

number of prisoners of conscience had been threatened or beaten following arrest. During investigation, they were usually denied access to defence counsel and relatives. Trials were often summary, and many were held *in camera*. Reports of poor prison conditions, with inadequate food, medical care and hygiene, gave further grounds for concern.

Amnesty International did not learn of any death sentences imposed during 1982.



Spain

Amnesty International's main concern was the ill-treatment and torture of people detained under the anti-terrorist laws. In Amnesty International's opinion the continued application of provisions of these laws facilitated such incidents. Amnesty International was also concerned about the large number of prosecutions on charges of criticizing the state, its representatives and institutions.

According to official figures, in 1982 there were 43 violent deaths, principally involving the armed Basque group ETA. Between January and July 1982, 572 people, mostly in the Basque country, were detained under the anti-terrorist laws. A large proportion were subsequently released without charge.

An Amnesty International mission visited the Basque country between 1 and 4 April. The delegates, one a doctor, investigated the death on 29 March of a Basque doctor, Esteban Muruetagoyena, four days after his release from custody. They also examined allegations of ill-treatment made by Vicente Ibarguren, one of three brothers arrested at the same time as Dr Muruetagoyena. The four men were arrested with others on 15 March by units of the *Guardia Civil*, Civil Guard, reportedly in plain clothes, and taken to the *Comandancia* (Regional Headquarters) in San Sebastian. All were held under the anti-terrorist legislation which permits the authorities to hold suspects incommunicado for up to 10 days without access to family or lawyer. The detainees were alleged to have been systematically physically ill-treated . It was alleged that they were punched in the stomach and chest and slapped in the face. They were forced to do prolonged exercises: Dr Muruetagoyena suffered from polio as a child and could only walk in special shoes which had been taken away. Two prisoners

alleged that they were given electric shocks and one that he had his face repeatedly plunged into a bucket of water.

On 5 May Amnesty International wrote to the Minister of the Interior, Juan Jose Roson, giving a detailed account of the mission's findings and asking for an immediate investigation. Amnesty International pointed out that it had repeatedly condemned the use of extended incommunicado detention, even if under judicial supervision. The letter noted that none of the detainees were accorded access to counsel while in custody, that none were ever charged with any offence and that, apart from the visit by the judge during the first three days, there was no judicial supervision. The Minister's reply failed to allay Amnesty International's concerns.

On 10 May Amnesty International appealed for a judicial investigation into allegations of ill-treatment made by Ana Ereno Achirica. A former Mother Superior of a convent of the Roman Catholic order of the *Madres Mercedarias Misioneras*, Missionary Mothers of Mercy, she became a well known feminist working for the Basque newspaper *Egin*. Amnesty International asked for a statement as to whether she had been seen by medical or judicial officials while in custody.

Ana Ereño Achirica was arrested on 28 April in San Sebastian when leaving work and held incommunicado without access to lawyers or her family for nine days: first for one day in Bilbao and afterwards in the *Direccion General de Seguridad* (DGS) in Madrid, the headquarters of the national police. She alleged that while in Bilbao she was hit on her breasts, thighs, head and neck while held by her interrogators. She said that this treatment continued for several hours. She was transferred to Madrid the next day. On arrival she was examined by police doctors who found facial swelling, including her eyelids; her left eye was bloodshot and her jaw, stomach and abdomen were bruised. Her neck was also bruised and swollen. Further medical examinations, including one ordered by the court, confirmed the earlier reports and finally the Head of Medical Services requested that she be kept under observation.

On 7 May she appeared in court and was committed to Yeserias prison on charges of belonging to or collaborating with an armed band. She was provisionally released on 12 June and finally acquitted in November 1982. She was however given a suspended sentence of four months for resisting arrest and using insulting language.

The Minister of the Interior replied to Amnesty International's appeals saying that she was "suspected of being implicated in the activities of the terrorist organization *ETA-Militar*" and had been continuously looked after by the police medical services. Amnesty International wrote to the Minister of the Interior on 11 October,

confirming its view that the injuries described in the medical certificates relating to Ana Ereno were consistent with her allegations, and reiterating Amnesty International's opposition to prolonged incommunicado detention. Amnesty International referred the Minister to the general comments adopted by the Human Rights Committee relating to Article 7 of the International Covenant on Civil and Political Rights. This suggested measures to prevent torture by allowing detainees access to doctors, lawyers and relatives.

Amnesty International has repeatedly informed the government of its belief that extended incommunicado detention, even when ordered by a court, was conducive to the ill-treatment of detainees because of a failure by the courts to supervise effectively the conditions in police stations and Civil Guard posts. The constitution of 1978 guarantees under Article 17.3 the right of detainees to see lawyers while in detention. However, the special provisions of the anti-terrorist laws effectively deny this right. The courts and, in particular, the military courts in cases involving the Civil Guard, have signally failed to pursue even well-founded complaints of ill-treatment or torture.

In 1982 two court judgments were delivered which were potentially of great importance to Amnesty International's concerns as described above. In December the Constitutional Court overruled a decision of the Supreme Court and directed that an action alleging torture should be investigated by an ordinary court. (The action was brought against the Civil Guard in 1980 and related to eight men from Amorebieta.) This decision was a step towards removing the right to exclusive jurisdiction of military courts in cases involving Civil Guards accused of torture. The military judicial authorities had been allowed to hear all cases involving allegations of torture by the Civil Guard, which in practice almost invariably remained unresolved.

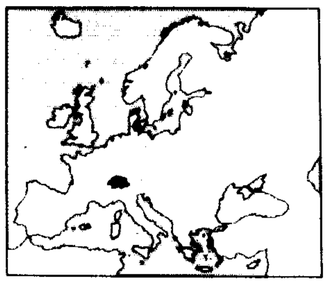
On 2 December the Supreme Court upheld an appeal by three men sentenced for alleged involvement in *ETA-Militar* on the grounds that the only evidence against them had been obtained after 10 days' incommunicado detention in a police station, where the men alleged they were tortured and where they were denied their constitutional rights to legal counsel.

The new Minister of the Interior, Jose Barrionuevo, publicly declared in a magazine interview in December 1982 that the use of torture would not be tolerated; however, he also stated that in his view the anti-terrorist laws could not as yet be abolished.

Amnesty International was concerned about the continuation of prosecutions for the non-violent exercise of freedom of expression. On 4 February 1981, following an incident in the Basque parliament in Guernica, Miguel Castells, a prominent lawyer and senator in the

Cortes (parliament), and 18 other councillors and regional and national members of parliament representing the Basque coalition *Herri Batasuna* were ejected from the chamber. The King had come to the microphone to make an address and, while he was there, approximately 40 members of the coalition stood up to sing the Basque nationalist hymn *Eusko Gudariak*. Following this incident it was decided to prosecute 19 members of the coalition, including one who was reportedly not present at the time, for insulting the King. In May 1982 police arrested all the accused who had refused to furnish bail pending trial and in September the Supreme Court agreed to try them after parliamentary immunity had been denied by a vote in the Senate. In December the prosecution requested sentences of eight years' imprisonment for all the accused. The defendants had repeatedly stated that they did not wish to insult the King personally. Amnesty International appealed on 18 May for their immediate and unconditional release.

In December 1981 Amnesty International sent an observer to the trial in the *Audiencia Nacional*, National Court, of five town councillors of Larrabezua who were charged with publicly insulting the head of state, after voting for a resolution opposing a visit from the King. The prosecution asked for a sentence of six years and one day on conviction. The hearing was suspended (see *Amnesty International Report 1982*). When it resumed they were all found guilty and in April 1982 sentenced to a suspended term of one year's imprisonment. Amnesty International believed this sentence was a violation of their right to freedom of expression.



Switzerland

Amnesty International's main concern remained the imprisonment of conscientious objectors to military service and the lack of any alternative civilian service.

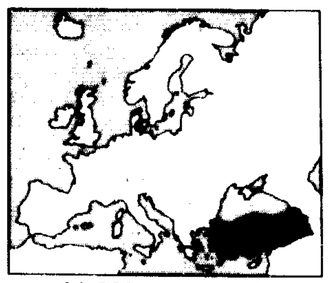
Under Article 81 of the military penal code all conscientious objectors are sentenced to imprisonment, even where the military tribunal recognizes a severe conflict of conscience on religious or ethical grounds. If the objection to military service is considered to be primarily political, a longer term of imprisonment is imposed.

Amnesty International worked for the release of six conscientious objectors of whom two were Nicolas Taillard and Clement Reymond.

Nicolas Taillard, a 24 year old orthopaedist from Geneva, refused on conscientious grounds to perform military service or present himself at the recruit school on the stipulated date. He was sentenced to seven months' imprisonment on 29 January 1981 by the military tribunal of Lancy. The sentence was confirmed by a military appeal court at Cully on 12 November 1981. A higher appeal to the *Tribunal militaire de cassation*, military appeal tribunal, was rejected on 21 April 1982. He began serving his sentence at Bellechasse prison on 2 November 1982.

Nicolas Taillard had left Switzerland on 23 April 1980 to work as an orthopaedist with the International Committee of the Red Cross (ICRC) in Angola. He was treating combatants from both sides of the conflict in that country. His stay in Angola was cut short by illness and he returned to Switzerland in August 1980. The first appeal court found that his conscience had allowed him to treat soldiers in Angola but not to serve as an unarmed *sanitaire* (member of the medical corps) in the Swiss army, and that no serious conflict of conscience prevented him from carrying out military service. Although the court of cassation accepted that he had been motivated by humanitarian ideals, it agreed that no serious conflict of conscience existed.

Clement Reymond was sentenced to eight months' imprisonment by the military tribunal of Montbenon on 21 January 1981. An appeal hearing at La Tour de Peilz on 21 May 1981 confirmed this sentence but delayed its execution to allow him to complete his studies in geology at the University of Geneva. He began his sentence at Bellechasse prison on 18 October 1982. Clement Reymond, aged 22, did not present himself for military service on 14 July 1980, having previously written to the military authorities explaining his non violent philosophy and advising them of his refusal. The appeal court considered that his philosophy was based on political reasoning rather than moral convictions and therefore sentenced him to prison instead of the lesser penalty of *arrêts repressifs*. This is a system which allows a person to do prescribed work outside the prison boundaries but requires the prisoner to return in the evenings and at weekends.



Turkey

Amnesty International's concerns were large numbers of prisoners of conscience, widespread and systematic torture and ill-treatment of political prisoners, and the death penalty. According to official figures issued by Martial Law Headquarters in Ankara, on 30 November 1982 there were 23,752 political prisoners in Turkey. Of these 15,597 had been charged and were on trial or awaiting trial; 7,294 had been convicted, and 861 were detained without charge. Many of these prisoners were charged with or convicted of violent offences. The exact number of those charged with non-violent political or religious activities was not known, but Amnesty International had information about several hundred people it believed to be prisoners of conscience.

Martial law, established throughout Turkey after a military coup in September 1980, continued. A new constitution was approved by referendum on 7 November, which gave General Kenan Evren, the head of the ruling National Security Council, a seven-year term as President. Amnesty International was concerned that some articles of the constitution appeared to restrict rights to political and trade union activity and freedom of expression and might result in the imprisonment of prisoners of conscience. Amnesty International welcomed the prohibition of torture in Article 16 of the constitution, but regretted that the same article allowed the death penalty.

Prisoners of conscience adopted by Amnesty International included 52 leaders of the Confederation of Progressive Trade Unions (DISK), and Ahmet Isvan, former Mayor of Istanbul, charged with supporting DISK. During the year more people connected with DISK were arrested, among them Professor Sadun Aren, economic advisor and member of DISK's research unit. This brought the number of defendants in this case to 72. The trial, which began in Istanbul on 24 December 1981, continued throughout the year. In January and August Amnesty International sent observers to the trial.

All the defendants in the DISK trial were charged under Article 146 of the penal code; 62 under paragraph 1, which carries a mandatory death penalty, the rest under paragraph 3, which provides for a prison sentence of not less than 15 years. Article 146 prohibits "attempts by force, to alter, modify, or abolish, in whole or in part, the Constitution of the Turkish Republic . . .". However, the 817-page DISK indictment does not state explicitly that the defendants committed or advocated acts of violence, and they were not charged

with any specific violent acts. The indictment appears to allege that DISK's trade union activities, such as organizing general strikes, were intended to bring about a Marxist-Leninist dictatorship of the proletariat, thereby overthrowing the constitution.

In August an Amnesty International observer also attended the trial in Istanbul of 26 leading members of the Turkish Peace Association (TPA) which began in June. The defendants, who were taken into custody in February, included Mahmut Dikerdem, a former Turkish Ambassador; Orhan Apaydin, President of the Istanbul Bar Association; Melih Tumer, Dean of the Istanbul Academy of Political Sciences; Reha Isvan, former deputy head of the Istanbul Department of Education and wife of Ahmet Isvan; Erdal Atabek, President of the Turkish Medical Association; and several former members of parliament. They were charged under Articles 141 and 142 of the penal code, which prohibit forming organizations or making propaganda aimed at achieving the "domination of a social class over other social classes". All the defendants were adopted as prisoners of conscience by Amnesty International and urgent appeals were sent to the authorities on behalf of Mahmut Dikerdem, who needed medical attention. He was transferred to a military hospital in July and released, while his trial continued, on 16 December. On 24 December all except five of the remaining TPA defendants were provisionally released. The trial of all 26 continued at the end of 1982.

Articles 141 and 142 of the penal code, which were also applied under civilian governments, were generally used to imprison left-wing political activists, as well as journalists, publishers, writers, translators and academics who disseminated material considered by the authorities to be "communist propaganda". Amnesty International was informed of many prosecutions of journalists and writers during the year under Article 142. In most cases the defendants remained free until legal proceedings were over, and in some cases fines were imposed rather than prison sentences. Two journalists who did go to prison were Lutfu Oflaz and Nazli Ilicak. Lutfu Oflaz, who before the coup wrote for the left-wing newspaper *Aydinlik*, was imprisoned from 21 August 1981 to 10 June 1982. Nazli Ilicak, a columnist for a right-wing daily newspaper, *Tercuman*, was sentenced to three months' imprisonment for violating National Security Council decision 52 banning public statements on party political matters. She went to prison on 7 October.

Other prisoners of conscience included members of the banned Turkish Communist Party and members of political parties which were legal until the military coup, among them the Turkish Workers' Party (TIP), the Turkish Socialist Workers' Party (TSIP), and the Turkish Workers' and Peasants' Party (TIKP).

The trials of hundreds of Kurds continued throughout the year. Many were charged with violent offences, but Amnesty International worked for the release of Kurds charged under Articles 125, 171 and 173 of the penal code with separatist activities and who were not accused of involvement in violence. Among them were Mehdi Zana, former Mayor of Diyarbakir, lawyers Rusen Arslan and Mumtaz Kotan, and Pasa Uzun, former chairman of an ethnic Kurdish association.

Dr Ismail Besikci, a sociologist, was sentenced to 10 years' imprisonment in March under Article 140 of the penal code which prohibits publishing information abroad which damages the reputation of the Turkish state. The basis for the charge was a letter which Ismail Besikci wrote to the President of the Swiss Writers' Union during a previous period of imprisonment. In the letter he wrote: "The official ideology in Turkey obstinately continues to deny the existence of a Kurdish people and a Kurdish language . . .". This was the third time in 11 years that Ismail Besikci – who is not a Kurd – has been imprisoned for expressing such views. (See *Amnesty International Report 1982*.)

The trial continued of members of the National Salvation Party, charged under Article 163 of the penal code with intending to adapt "the basic social, economic, political or judicial orders of the State to religious principles and beliefs". The defendants were in provisional liberty while the trial continued. In June and October arrests were reported of members of Islamic religious sects, also charged under Article 163 with violating the principle of secularism. At the end of 1982 Amnesty International had not received any further information about these cases.

All political offences were tried by martial law courts. Amnesty International's own trial observers and other lawyers who visited Turkey reported that most lawyers acting in cases heard by these courts complained of the difficulties they faced in preparing the defence case. They complained, in particular, of insufficient access to their clients and the conditions under which consultation with clients took place. Following the military coup sentences of three years and less were not subject to appeal, but in March a bill was passed by the Consultative Assembly which allowed appeals against sentences of over six months. Amnesty International continued to be concerned that the right to appeal was not available in all cases. Also of concern was the continuation of the 45-day detention period during which detainees were not usually allowed access to lawyers or families. Most allegations of torture received by Amnesty International related to this detention period.

Throughout the year Amnesty International continued to receive

allegations that prisoners charged with political offences had been tortured and that in some cases death had resulted. Amnesty International asked the authorities for investigations into many alleged deaths in custody. In some instances the authorities replied that the cause of death was suicide or illness, but in other cases no reply was received. In January Amnesty International urged the authorities to investigate the deaths in Istanbul of Bahadir Dumanli on 3 January and his brother-in-law, Ataman Ince, on 26 October 1981. At the end of 1982 Amnesty International had not received any response concerning these cases, but had learned from press reports that police officers were being tried in connection with Ataman Ince's death.

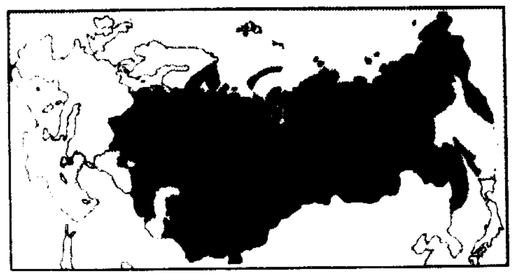
On 27 May Amnesty International wrote to the Turkish Ambassador in London expressing concern about the deteriorating state of health of many prisoners in Diyarbakir Military Prison. This was alleged to be due to torture, harsh prison conditions and insufficient medical attention. Particularly mentioned were Mehdi Zana, Pasa Uzun, Mumtaz Kotan and Huseyin Yildirim. Amnesty International asked the Turkish Government to allow a delegation from Amnesty International to visit the prison. On 17 September Amnesty International wrote again to the Ambassador concerning alleged deaths in Diyarbakir Military Prison of prisoners on hunger-strike in protest against torture and inadequate defence facilities. By the end of 1982 Amnesty International had received no response to these letters.

Huseyin Yildirim, a lawyer, was released from Diyarbakir Military Prison in July, and in October he left Turkey. Amnesty International interviewed him in Sweden in November and arranged for him to receive a medical examination. The medical report stated that Huseyin Yildirim "shows signs of external violent injury by a blunt weapon to the head, both upper extremities, the trunk and both lower extremities; and that the injuries may well have occurred as a result of the torture described by [him]". Huseyin Yildirim described in detail the torture to which he was subjected, including beatings on all parts of the body, electric shocks and burnings. He also described the torture of many other prisoners in Diyarbakir Military Prison. Similar information was received from Serafettin Kaya, another lawyer, who had been imprisoned and tortured in the same prison in 1981 and who was interviewed by Amnesty International during 1982.

There were 14 executions in 1982, bringing to 24 the number of people executed since September 1980. According to official figures, 98 people convicted of political murders were under sentence of death on 30 November 1982. Amnesty International did not know the total number of people awaiting execution at the end of 1982, but believed

it to be well over 100. Amnesty International appealed repeatedly to the authorities for a halt to executions and the abolition of the death penalty.

On 1 July Denmark, France, the Netherlands, Norway and Sweden each filed with the European Commission of Human Rights an application against Turkey under Article 24 of the European Convention on Human Rights. The five applications alleged violations of the following provisions of the convention: Article 3 (prohibition of torture and inhuman or degrading treatment or punishment), Article 5 (liberty and security of person), Article 6 (right to a fair trial by an independent and impartial tribunal), Article 9 (freedom of thought, conscience and religion), Article 10 (freedom of expression), and Article 11 (freedom of assembly and association).



Union of Soviet Socialist Republics

Amnesty International's concerns were the continued imprisonment of prisoners of conscience; allegations of ill-treatment of people detained for political reasons in psychiatric hospitals; harsh conditions suffered by prisoners of conscience in penal institutions; and the continued use of the death penalty. Amnesty International worked on behalf of approximately 450 prisoners known or thought likely to be prisoners of conscience.

On 27 December the Presidium of the Supreme Soviet proclaimed an amnesty in connection with the 60th anniversary of the formation of the USSR. The amnesty did not apply to the majority of political prisoners. It did not cover articles of the criminal code such as "anti-Soviet agitation and propaganda" and "anti-Soviet slander" nor the articles under which most religious prisoners are convicted. The amnesty excluded also some articles under which prisoners of conscience have been falsely charged, such as "engaging in a prohibited trade". A few prisoners of conscience were in the categories benefiting from the amnesty, especially those convicted on charges of "hooliganism", but even they could be excluded if they had "maliciously violated the regime, while serving a term of punishment".

Most prisoners of conscience were charged with political offences such as "anti-Soviet agitation and propaganda", "circulation of

fabrications known to be false which defame the Soviet state and social system" (often referred to as "anti-Soviet slander") or with violating the "legislation on cults" which restricts religious activity. Others were convicted on criminal charges which bore no apparent relation to their dissenting activities and which Amnesty International believed to be without foundation.

Amnesty International learned of more than 200 people arrested in 1982 solely for expressing views – political, religious or nationalist – disapproved of by the authorities and of another 40 who were arrested in 1981 and convicted in 1982 for the same reasons. It learned of 17 people who were newly confined in psychiatric hospitals in 1982 for political rather than authentic medical reasons.

Amnesty International learned of no instances of people being acquitted by a Soviet court of a political or religious offence. However, one prisoner of conscience, Genrikh Miller, falsely convicted on a criminal charge, was acquitted on appeal.

More than half the new cases Amnesty International learned of during 1982 were of religious believers. Most were members of unregistered Baptist congregations who reject the restrictions imposed by the state on their freedom to choose their own church leaders, to bring up their children according to their own religious convictions and to preach their beliefs openly. The authorities regard these unregistered communities as illegal. It also became known that two members of the officially registered Baptist church were arrested for distributing religious *samizdat*, unofficial and uncensored literature.

Amnesty International learned of at least eight members of the Russian Orthodox Church who were imprisoned. One was Zoya Krakhmalnikova, who edited and compiled the Russian Orthodox *samizdat* journal *Nadezhda* (Hope), a compendium of readings in the tradition of pre-revolutionary literature.

From Uzbekistan Amnesty International received reports of the arrest and imprisonment of people engaged in reproducing and distributing Islamic *samizdat*. In September 13 people stood trial in a Tashkent court accused of illegal reproduction and distribution of the pamphlet "About the Islamic Faith". By the end of 1982 only two of the sentences were known – those passed on Abduzakir Rahimov and Mahmudjon Roziev, both charged with "speculation" and "engaging in a prohibited trade". Abduzakir Rahimov was sentenced to seven years' imprisonment in a labour colony and Mahmudjon Roziev to four years. Amnesty International also learned of the conviction of Saidkarim Azamov, a *mullah* who was accused of illegally teaching the Koran in a school in a Tashkent suburb.

Many people were imprisoned for attempting to leave the USSR. At least eight Jews campaigning for the right to emigrate to Israel or

for the preservation of Jewish culture were arrested or tried. On 6 November Iosif Begun, a private teacher of Hebrew, convicted twice before for his activity in the Jewish emigration movement, was arrested in Leningrad on a charge of "anti-Soviet agitation and propaganda". Amnesty International issued a special appeal on his behalf. At least nine Soviet Germans were arrested or tried in connection with their campaign for emigration. Soviet Germans have been charged under a variety of articles of the criminal code such as "refusing to do military service", "anti-Soviet slander", "parasitism" and "petty speculation". Amnesty International was informed of 16 other Soviet citizens arrested in connection with their wish to leave the USSR. One of them, Alexander Maximov, had sought permission to emigrate from the Soviet Union since 1975 and had previously been convicted in 1980. He was sentenced to two years' imprisonment in a corrective labour colony with strict regime for "parasitism".

The authorities continued to imprison members of non-Russian nationalities who protested against what they considered an official policy of "Russification" discriminating against national minorities, or people who had advocated independence for their nations. They included Ukrainians, Armenians, Latvians, Lithuanians, Estonians, and Georgians. People who had advocated Russian nationalism were also arrested.

There was a new wave of arrests of members of the unofficial trade union SMOT, the Free Interprofessional Association of Workers. Among those arrested was Lev Volokhonsky, who had already served a sentence from 1979 to 1981 for his involvement in SMOT.

Amnesty International adopted five prisoners of conscience in connection with the editing and distribution of two left-wing *samizdat* journals *Varianty* (Alternatives) and *Sotsializm i budushchee* (Socialism and the Future). Their trial was expected to take place in November 1982, but was postponed.

Amnesty International worked for the release of imprisoned members of the Group to Establish Trust between the USSR and the USA. This group proposed at its foundation on 4 June 1982 a four-sided dialogue between the governments and peoples of the USSR and the USA. One member, Sergei Batovrin, was forcibly confined in a Moscow psychiatric hospital from 6 August to 7 September. Another, Oleg Radzinsky, was arrested on 26 October on a charge of "anti-Soviet agitation and propaganda". Other members have been detained briefly and threatened.

On 8 September the unofficial Moscow group monitoring Soviet observance of the 1975 Helsinki Final Act announced that it was to disband after one of the three remaining members of the group, 75-year-old lawyer Sofia Kalistratova, was charged with "anti-Soviet

slander". After the group disbanded the prosecution of her case was deferred. The persecution of members of Helsinki monitoring groups continued throughout the year: in early April 1982 Ivan Kovalyov, a member of the Moscow group, was convicted of "anti-Soviet agitation and propaganda" and sentenced to five years' imprisonment and five years' internal exile.

In October 1982 Amnesty International issued a paper describing the fate of seven imprisoned Helsinki monitors who had had fresh sentences imposed while completing prison terms. All seven were adopted prisoners of conscience. Petro Sichko was charged with further offences in the corrective labour colony where he was held in May 1982, just 10 days before he was due to complete a three-year sentence for "circulating anti-Soviet slander". He was tried and sentenced to a further three years' imprisonment, again for "anti-Soviet slander". Amnesty International was informed of other similar cases. At the end of the year Valery Abramkin, one of the editors of the *samizdat* journal *Seqrches*, was charged just before the end of his prison term. Amnesty International was concerned that prisoners of conscience held together with ordinary criminal prisoners in corrective labour colonies appeared to be in particular danger of facing further charges. Ordinary criminal prisoners were sometimes made to testify against imprisoned prisoners of conscience, who were then convicted of slandering the Soviet Union. The authorities have been known also to use ordinary criminal prisoners to force prisoners of conscience to recant. Mikhail Kukobaka reported in a letter of April 1982 that he was ill-treated in Yelets Investigation Prison, Lipetskaya Region, by ordinary criminals who forced him to write a self-incriminating letter.

Among those threatened with fresh sentences were Vyacheslav Bakhmin and Irina Grivnina, imprisoned members of the Working Commission to Investigate the Use of Psychiatry for Political Purposes.

The abuse of psychiatry, against which the working commission had been protesting, continued. Amnesty International received further information on the internment of dissenters in psychiatric hospitals for political rather than authentic medical reasons. At least three were reported to have been confined indefinitely in special psychiatric hospitals. These are the strictest psychiatric hospitals intended for people who "represent a special danger to society". Among them was the historian Viktor Artsimovich from Tomsk, who was accused of having written the ***samizdat*** article "Contradiction upon Contradiction", a critical analysis of the works of Karl Marx. He was ruled to be suffering from schizophrenia and "philosophical intoxication" and sent for forcible treatment to a special psychiatric hospital.

The majority of people known to have been confined in ordinary psychiatric hospitals were citizens wishing to emigrate from the USSR. Sergei Belov, a former lawyer from Ivanovo Region, was interned in a psychiatric hospital on 2 February for the sixth time in the past six years.

Amnesty International continued to receive reports of prisoners of conscience being ill-treated in psychiatric hospitals. During 1982 Amnesty International learned of the death of Nikolai Sorokin, a metal worker, in Dnepropetrovsk Special Psychiatric Hospital in 1980. He had been treated with powerful drugs for a long time. He contracted a kidney disease and doctors in Dnepropetrovsk Special Psychiatric Hospital advised that he should be moved to an ordinary psychiatric hospital for appropriate treatment. This advice was reportedly overruled by a KGB (Committee of State Security) official. After Nikolai Sorokin's death the official responsible was removed from his post.

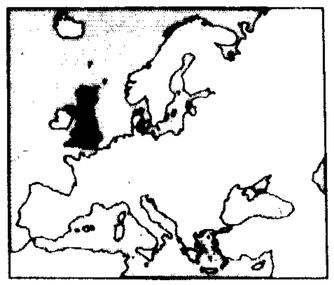
There was no improvement in the harsh conditions in which prisoners of conscience served their sentences. They continued to suffer from chronic hunger, inadequate medical care and difficult, often dangerous, compulsory labour. Amnesty International received reports of prisoners of conscience being punished for protesting against these conditions. In September a protest action was reported from a labour colony in the Perm region. Prisoners went on strike after Oleksander Shevchenko, a prisoner of conscience, had been ill-treated by guards and had his arms broken. Six prisoners of conscience who participated in the strike were confined to the punishment cell. In 1982 it became known that an Armenian prisoner, Marzpet Arutyunyan, had been beaten by police in Rostov transit prison on 18 July 1981 during an interrogation about the escape of three of his cell-mates. Three of his ribs were broken.

In 1982 Amnesty International continued to receive reports that prison work norms were set excessively high. Prisoners of conscience, among them the Jewish prisoners Anatoly Shcharansky and Alexander Paritsky, are known to have been punished for not fulfilling these norms.

Prisoners of conscience sentenced to internal exile faced harsh conditions in the remote areas to which they were sent. Amnesty International issued a special appeal asking for the release from exile on health grounds of Danylo Shumuk, a 68-year-old Ukrainian prisoner of conscience reported to be seriously ill after spending more than half his life in Polish, German and Soviet prisons and labour colonies.

Amnesty International learned of six executions and 19 people sentenced to death. It believes this to be only a fraction of the total

number of death sentences. Most were sentenced to death for offences involving murder, but some received the death penalty for non-violent crimes. In April, for example, Vladimir Rytov, former Deputy Minister of Fisheries of the USSR, was executed for bribery. Amnesty International appealed for the commutation of every death sentence of which it learned. In October the Soviet press reported that President Leonid Brezhnev had commuted the death sentence imposed on Egres Kirtava, a police officer convicted of murder.



United Kingdom

Amnesty International expressed concern to the authorities about the operation of the non-jury "Diplock courts" in Northern Ireland. It also sent observers to two trials. Amnesty International had no adopted prisoners of conscience during the year.

In a letter to the Secretary of State for Northern Ireland in December Amnesty International expressed its concern that the proceedings in the "Diplock courts" might not conform to international standards for fair trial. These courts were named after the judge who recommended in a 1972 inquiry that "terrorist" offences committed in Northern Ireland should be tried by senior judges sitting alone with no jury. None of those tried in this way have been adopted by Amnesty International as prisoners of conscience. Many have not claimed to be innocent but demanded political prisoner status on the grounds that the offences for which they were convicted were politically motivated.

The Diplock courts conform to international standards in several respects: the accused have access to independent defence counsel; trials are open to the public and are reported in the news media; and there are full rights of appeal to the Court of Criminal Appeal and to the House of Lords. There is a significant rate of acquittals. Furthermore, allegations that confessions were obtained as a result of physical ill-treatment had virtually stopped since Amnesty International's 1978 report on that subject and the subsequent confirmation of Amnesty International's findings by a government-appointed committee of inquiry. However, Amnesty International was concerned at various issues connected with the fact that the great majority of those convicted by Diplock courts were convicted solely on the basis of confessions.

The police and army have wide powers to arrest people and detain them on suspicion for up to seven days. During the first two days people who have been arrested are held incommunicado, without access to lawyers or relatives. The laws and police regulations permit the use of strong psychological pressure on suspects to induce them to confess. Even confessions obtained in this way may be admitted into evidence by the Diplock courts, although they would be excluded by established standards in other courts in the United Kingdom. By comparison with trials in ordinary courts in the United Kingdom, the fact that there is no jury, but only a judge, reduces the safeguards against such confessions being given too much weight. These factors lead to the risk that people would be convicted and sentenced to imprisonment on the sole basis of confessions which, having been obtained by oppressive methods, are not reliable. Appeal to higher courts would not overcome this deficiency since the appeal courts consider more the trial courts' application of the law rather than their assessment of the evidence.

In its letter to the Secretary of State in December 1982 Amnesty International called on the government to indicate whether it was planning a review of the existing system of criminal justice in Northern Ireland from arrest to conviction, and undertook to submit its concerns to the review body.

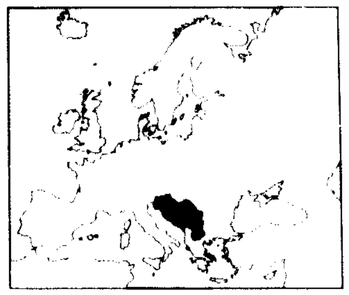
Amnesty International's concerns were illustrated by the case of Michael Culbert (see *Amnesty International Report 1982*). In January 1982 the Court of Appeal upheld his conviction and sentence of life imprisonment. Amnesty International had sent observers to his appeal hearing in December 1981 and January 1982. Michael Culbert was convicted in October 1979 of murder and of belonging to the Provisional Irish Republican Army (IRA) solely on the basis of an oral confession which he denied having made. At the time of the alleged confession he had been subjected to prolonged interrogation and lack of sleep. Amnesty International was not able to make an assessment of whether he had made the alleged confession or of the veracity of its contents. However, it believed that the case confirmed its doubts about the standards employed in Northern Ireland for accepting confessions as the sole evidence of guilt.

In November 1982 an Amnesty International observer attended part of the preliminary court proceedings against eight people before a magistrate in Cardiff, Wales. The eight were all Welsh nationalists and members of the Welsh Socialist Republican Movement or the *Plaid Cymru*, Welsh Party, Youth Movement or both. They were charged with involvement in the placing of 13 bombs between March 1980 and March 1982. The accused denied the charges, and their supporters alleged that evidence against them had been fabricated. The

proceedings ended in November with a decision that all eight be brought to trial. The trial was due to begin in April 1983.

In April, May and June 1982 an Amnesty International delegate observed parts of the trial in Leeds of 12 Asian youths from nearby Bradford. The 12 were charged with varying degrees of involvement in the preparation of petrol bombs found by the police in Bradford in July 1981. Amnesty International sent an observer in view of allegations that many of the defendants had made confessions involuntarily, or that alleged confessions by them had been fabricated. It was also alleged that the case against them was motivated by the determination of the police to "crack down" on politically active Asian youths in Bradford. At the trial most of the accused admitted having participated in making the bombs. They pleaded not guilty on the grounds that they had done so in self-defence because they feared organized, violent attacks on the Asian community in Bradford by large numbers of white youths. Another defence they used was that the charges against them were wrongly formulated: that the petrol bombs were not "explosive substances" in the sense of the statute under which they were charged, and that they did not intend to cause injury to person or property. All 12 were acquitted by verdict of the jury on all charges.

Towards the end of the year there was a series of incidents in which police and army personnel shot and killed unarmed suspects in Northern Ireland. Among the victims were members of the Provisional IRA and the Irish National Liberation Army. There were allegations that the police had undertaken a "shoot to kill" policy to eliminate supporters of these groups by killing them rather than by arrest. The killings took place in a context of repeated shootings and attacks on the police and army by supporters of these groups, and it was therefore difficult to assess these allegations. Amnesty International began research into this matter but had not reached any conclusions by the end of the year.



Yugoslavia

Amnesty International was concerned by the imprisonment of prisoners of conscience, many of them ethnic Albanians convicted of nationalist activities. There were allegations that political detainees had been physically ill-treated during pre-trial detention and Amnesty International received information about three such cases. Amnesty International was also concerned about unfair trials and poor prison conditions. It learned of seven death sentences and two executions.

In a report published in February, *Yugoslavia: Prisoners of Conscience*, Amnesty International set out its concerns. Chief among these was the imprisonment of prisoners of conscience. The report observed that according to official figures political prosecutions had increased since late 1979 and had further risen in 1981 when many ethnic Albanians were arrested following nationalist demonstrations in the province of Kosovo. It stated that the charges in political cases had often not involved the use or advocacy of violence and concluded that the vague formulation of certain laws allowed the imprisonment of people for exercising their human rights in ways disapproved of by the authorities. The report said that breaches of investigation and trial procedures were sufficiently prevalent in political cases to warrant serious concern. Amnesty International's other concerns were poor prison conditions and the death penalty.

Amnesty International had submitted the text of the report to the Yugoslav Government in October 1981 with a request for comments which it undertook to make public. There was no response to this request. In March 1982 the Federal Public Prosecutor, in an interview published in the Belgrade daily newspaper *Politika*, described Amnesty International's report as malicious and untrue. He said there had been only a small rise in political prosecutions in 1980 and the following year – a view which conflicted with official statements and figures cited in Amnesty International's report. The Federal Public Prosecutor appeared to ascribe to Amnesty International various statements which it had not made in the report or elsewhere – for instance, that Yugoslavia had the highest number of political prisoners of any European country. (As a matter of policy Amnesty International does not grade countries according to their record on human rights.) He concluded that prisoners of conscience adopted by Amnesty International had worked to destroy the country's political and

constitutional system and that their imprisonment did not violate the United Nations Universal Declaration of Human Rights. He did not, however, mention any case in which a prisoner of conscience adopted by Amnesty International had been proved to have used or advocated violence. Several other articles published in the Yugoslav press during the year discussed political offences and advocated changes in the law and in judicial practice to bring to an end the imprisonment of people for the non-violent exercise of their right to freedom of expression.

Official figures published in 1982 stated that in 1981, 594 people had been charged with political offences, of whom 386 were ethnic Albanians. The figure for the first six months of 1982 was 268, an 84 per cent increase over the first half of 1981. Of the 268, 150 were from Kosovo province. The high proportion of prosecutions in Kosovo and among ethnic Albanians was linked to nationalist demonstrations which occurred in Kosovo in March and April 1981 and continuing nationalist unrest among ethnic Albanians. During the demonstrations of 1981 ethnic Albanians — the majority population in Kosovo — demanded that the province cease to be a part of the republic of Serbia and be granted its own republic status within the Socialist Federal Republic of Yugoslavia. On 1 September 1982 it was officially announced that since those events 527 people had been sentenced for political crimes in Kosovo. This figure did not include well over a thousand ethnic Albanians summarily punished by up to three months' imprisonment or fines for minor political offences. It also excluded ethnic Albanians convicted of political crimes outside Kosovo.

During 1982 Amnesty International learned of some 24 trials involving about 100 ethnic Albanians charged with political offences. Some were accused of disseminating nationalist propaganda materials. Others were accused of belonging to organizations seeking republic status for Kosovo, or of expressing support for this aim. Still others were charged with founding or participating in irredentist organizations, that is, organizations aiming at the secession of Kosovo and other Albanian-inhabited territories from Yugoslavia and their unification with the People's Socialist Republic of Albania. In none of these trials were the defendants accused of having used violence; some, however, were apparently charged with having planned or advocated violence. More than half the sentences imposed ranged from five to 15 years' imprisonment; the majority of those convicted were in their 20s or younger. In July five major trials were reported in Kosovo involving some 60 ethnic Albanians, including university teachers, journalists, lawyers and other professionals. Sentences of up to 15 years' imprisonment were imposed. The defendants were generally charged with founding or being members of irredentist organizations, an

accusation which many denied. Press reports indicated that some defendants were charged with planning violence, but gave little information about the evidence for this. Amnesty International sought further information on such cases. It adopted as prisoners of conscience eight young people convicted by a court in Pristina on 24 July of having sought republic status for Kosovo. It also adopted three students and a high-school pupil sentenced to between five and eight years' imprisonment by a court in Vranje, Serbia, in May. Halil Selimi and his co-defendants were charged with being members of an irredentist organization and with having disseminated irredentist propaganda materials. Other prisoners of conscience adopted by Amnesty International included Emrush Salijevski and Dema Ulaj, who were each sentenced to five years' imprisonment by courts in Skopje, Macedonia, and Bijelo Polje, Montenegro, respectively. Emrush Salijevski was convicted of selling tape-recordings of Radio Tirana (Albania) broadcasts which criticized Yugoslav government policy in Kosovo. Dema Ulaj was charged with writing poems in praise of Albania and with bringing into Yugoslavia from Albania propaganda materials which he had given to others.

Prisoners of conscience adopted by Amnesty International also included non-Albanians, among them Dragomir Stojanovic and Janko Sarajlic, both convicted of "hostile propaganda". Dragomir Stojanovic, aged 60, was sentenced in April to five and a half years' imprisonment by a court in Leskovac, Serbia, for making "malicious, disparaging and untrue statements about Yugoslavia's revolution". Janko Sarajlic, aged 33, a coach-driver working abroad, was sentenced to four years' imprisonment in November by a court in Slavonska Pozega, Croatia, for bringing into Yugoslavia copies of emigre journals.

In July Amnesty International appealed for the release of eight people summarily sentenced to between 25 and 50 days' imprisonment for having raised banners marked *Solidarnosc* (Solidarity, the then suspended Polish trade union) at an official rally on 9 July in Belgrade in support of the Palestinian people. At the end of the month seven others were imprisoned for between 20 and 30 days after some of them had publicly protested against the imprisonment of the eight.

In November eight Yugoslav citizens, among them two well-known university professors, sent a petition to the State Presidency asking for the release of five people from Belgrade prison psychiatric hospital. The petition said these people had been confined for expressing their political opinions in letters to the Yugoslav authorities. It called for a review of their cases, and for them to be examined by independent Yugoslav or international experts. The petition stated that they should be treated in ordinary psychiatric hospitals if they

were found to be mentally ill. Amnesty International sought further information on these five people.

In December Amnesty International wrote to the Federal Minister of Justice to urge a judicial inquiry into the alleged ill-treatment of Hydajet Hyseni, Halil Alidema and Ukshin Hoti, ethnic Albanians from Kosovo, convicted of political offences in 1982. Hydajet Hyseni was alleged to have been so severely ill-treated after his arrest in December 1981 that he could not recognize his family when they visited him in April. He did not appear at the trial of 18 co-defendants in Pristina in July. The court was informed that this was because he was in a depressive state. In August he was said to be in the psychiatric section of Belgrade prison hospital. On 18 November he was sentenced to 15 years' imprisonment at a trial from which the press appears to have been barred. Halil Alidema and Ukshin Hoti, who were also alleged to have been physically ill-treated during pre-trial detention, were sentenced to 11 and nine years' imprisonment respectively in July. Amnesty International adopted as a prisoner of conscience Ukshin Hoti, who was not charged with the use or advocacy of violence; it sought further information about the charges against Halil Alidema and Hydajet Hyseni. An article in the Yugoslav press in April noted that allegations of ill-treatment during pre-trial detention had been made in a number of political trials of ethnic Albanians.

Amnesty International was concerned that convictions in political trials might sometimes have been obtained on the basis of false testimony given as the result of pressure by the police. This appears to have been the case in the trial of Anto Kovacevic in June in Doboj. He was accused of having become a member of an emigre organization while living in Vienna, of having spoken "maliciously and untruthfully" of conditions in Yugoslavia and of having told jokes against the late President Tito. The charges appear to have been based largely on statements made by two of his compatriots studying at Vienna university, who were detained by police while visiting Yugoslavia in December 1981. In June 1982 these men withdrew their testimony. In statements made in Vienna they declared that they gave it after police threatened them that if they did not cooperate by testifying against Anto Kovacevic and by informing on compatriots in Vienna they would be deprived of their passports. Anto Kovacevic was sentenced to eight and a half years' imprisonment, reduced to six years on appeal.

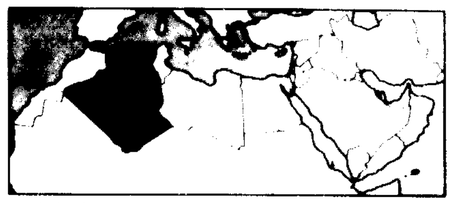
Prison conditions also gave grounds for concern; reports of conditions at Stara Gradiska prison in Croatia, where a number of adopted prisoners of conscience were detained, appeared to be particularly poor. A Belgrade criminologist who had in August served

a 30-day sentence for protesting against the imprisonment of eight supporters of the Polish trade union Solidarity (see above) wrote an open letter to the Serbian Secretary of Justice in September. In the letter he detailed numerous violations of laws concerning the treatment of prisoners in Padinska Skela and Belgrade central prisons where he served his sentence. These included the beating of prisoners, lack of proper medical care, exploitation of prison labour, and failure by the authorities to supervise prison conditions in accordance with the law.

On 17 January three emigrants – Jusuf and Bardhosh Gervalla and Zeka Kadri – ethnic Albanians from Kosovo, were shot dead in Stuttgart in the Federal Republic of Germany. Jusuf Gervalla was a leader of an irredentist organization. Amnesty International received allegations that the Yugoslav state security service was responsible for these killings. The official Yugoslav press, however, said that the three men were killed by rival emigre groups.

Amnesty International learned of seven death sentences passed in 1982: one for war crimes and six for murder. On 16 February it was reported that a death sentence imposed in 1981 on Hasim Suljic, convicted of war crimes, had been commuted on appeal to 20 years' imprisonment. Amnesty International knew of two executions in 1982: Hamit Azizi was executed on 4 January and Paloka Gecaj on 6 April, both convicted of murder.

The Middle East and North Africa



Algeria

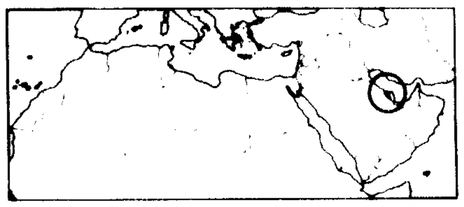
During 1982 Amnesty International learned of the release of two individuals – Rabah Benkhellat and Abdelmalek Kendour – whose cases Amnesty International had been investigating. Both were tried by the Military Tribunal in Blida in December 1980 and sentenced to six years' imprisonment for forming a local cell of the International Communist Party and plotting against state security. They had been held in the prison of Tazoult-Lambese and were the last remaining prisoners of the six originally sentenced in the same trial.

Amnesty International also received unofficial reports that advocates of Berber cultural expression arrested in 1980 and 1981 had been released, but by the end of 1982 had not received official confirmation.

In November 1982 clashes broke out between various groups of students at the University of Ben-Aknoun outside Algiers, after a group armed with knives and axes had entered the university restaurant and attacked students there. The clashes resulted in one student death and a number of injuries. In early December, after several weeks of tension, many members of self-styled Islamic groups were arrested, allegedly in connection with these events. In further arrests that month, 23 leading members of Islamic movements were taken into custody and then brought before the *Cour de Surète de l'Etat*, State Security Court, and charged with "forming and participating in a subversive organization with intent to disrupt the state, preparation and distribution of tracts of a character harmful to national interest, incitement to riotous assembly". Some of those arrested, including two well-known religious figures, the *Imams*

Ahmed Sahnoun and Abdellatif Sultani, were released pending trial, but others remained in detention. On 18 and 19 December the authorities arrested another 30 people. A number of them were reported to have been in possession of arms that had been stolen a month earlier. The official Algerian press described them as supporters of the Iranian leader, Ayatollah Khomeini, seeking the establishment of an "Algerian Islamic Republic". As 1982 ended Amnesty International was attempting to establish whether those arrested in December had used or advocated violence.

Amnesty International continued to receive reports of ill-treatment in Algerian prisons, but was unable to verify them.



Bahrain

Amnesty International was concerned about the imprisonment of five known and 27 possible prisoners of conscience. During 1982 it learned of the release of eight of these, including 'Abbas Hillal (see *Amnesty International Report 1982*). It was concerned about long-term detention without trial of political prisoners, in some cases for over five years; the lack of legal safeguards in political trials before the Supreme Court of Appeal, including one major trial in which 73 people were sentenced to long prison terms; and reports of torture and ill-treatment of prisoners.

Amnesty International investigated the cases of 16 Bahrainis convicted under Article 159 of the Bahraini Criminal Code of membership of, or forming, an illegal organization. Four were members of the Organization of Islamic Unity and nine were members of the Movement of the Revolutionary Cell. All 13 were arrested in December 1980 and sentenced in April 1981 by the Supreme Court of Appeal to between three and seven years' imprisonment. The three others were members of the Constituent Committee of the Bahraini Workers' Union which had been attempting to gain official recognition (trade unions are banned in Bahrain). They were arrested in December 1979 and sentenced in March and April 1981 by the Supreme Court of Appeal to seven years' imprisonment. These two trials were held *in camera*.

Amnesty International continued to be concerned about the detention without charge or trial of political prisoners. The State Security Law of 1974 grants the government the right to arrest and imprison for up to three years without charge or trial any person

suspected of threatening national security. Under this law a detainee may appeal against imprisonment to the Supreme Court of Appeal after three months and may renew the appeal every six months.

At the year's end Amnesty International was working for the release or fair trial of eight detainees held under this law about whom it had specific information; it believed that the number of such detainees was considerably higher. Amnesty International continued to call for the release of Hassan Bu Allai and fair trial of Abdullah Rashid Mutawi'a (see *Amnesty International Report 1982*). They were arrested in late 1976, as were two others whose cases were taken up in 1982: Jawad Hassan al Ikri, a former member of the National Union of Bahraini Students (an illegal organization); and Ahmad Ibrahim Makki, who was acquitted in 1977 of a reportedly political murder, but detained since then without charge or trial. Other detainees for whom Amnesty International worked had been held for between one and four years. It was not known whether all the detainees had been permitted to appeal against their imprisonment.

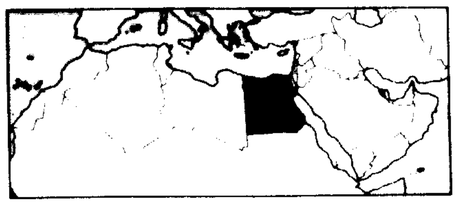
Amnesty International was concerned about procedures governing the Supreme Court of Appeal which is empowered, in accordance with Article 195 of the penal code and decree law No. 7 of 1976, to try those charged with offences relating to internal and external security. Such trials may be held *in camera*, need not be held in normal court-rooms, and there is no right of appeal.

In March and April 1982, 73 people who had been arrested in December 1981 were tried before the Supreme Court of Appeal (see *Amnesty International Report 1982*). They were charged with forming an illegal organization, the Islamic Front for the Liberation of Bahrain, illegally possessing arms and explosives, planning to overthrow the government and having contact with a foreign power. If convicted, almost all the defendants could face the death penalty. Amnesty International was also concerned about their pre-trial detention and the manner in which the trial was conducted. The defendants were held incommunicado for up to two months until they were first brought before an examining magistrate in January and February 1982. They were permitted no meetings with lawyers until late March at the earliest, and no visits from relatives until their trial. There were reports of ill-treatment and torture, including beatings and mock executions, to extract confessions. The lawyers were given insufficient time to prepare their case, being assigned to the defendants a day or two before the trial was due to start on 13 March. The lawyers were granted an adjournment until 27 March to allow them to receive and study the papers. They were not permitted to meet privately with their clients until the court convened on 27 March. Although it had been officially announced beforehand that the trial would be public, no

foreign journalists or international observers (including two Amnesty International delegates who travelled to Bahrain to observe the trial), nor the defendants' families, were allowed to attend. The venue of the trial was kept secret until the morning of the trial, ostensibly on security grounds, and it was held in an *ad hoc* court-room in the village of Jau, where the defendants were being held.

On 24 March Amnesty International wrote to the Minister of Interior expressing its concern about the trial and urging "that lawyers be given the opportunity to have full and private access to their clients in time to prepare their case; that the defence be allowed to give and call evidence on the defendants' behalf, and that they have the right to cross-examine the prosecution witnesses; and that the trial be open to the families, the public, the press and international observers."

The lawyers were permitted to meet their clients twice after 27 March. After the first interview the lawyers asked for the defendants to be examined by two independent doctors. The prisoners were examined by doctors working for the Ministry of the Interior; their medical report mentioned no evidence of ill-treatment. It was reported that the defence lawyers were given only limited opportunity to present evidence during the trial, and it was not known whether they were able to cross-examine the prosecution witnesses. The trial continued to be held *in camera*, the families being admitted to the court only for the verdict on 22 May. The evidence upon which the defendants were convicted was never made public. On 27 April Amnesty International wrote to the Emir of Bahrain, asking him to commute any death sentences that might be passed (the last executions had been in 1977 when three Bahrainis were hanged for murder). In the event, three were sentenced to life imprisonment, 60 to 15 years, and 10 to seven years.



Egypt

Amnesty International was concerned about the imprisonment of prisoners of conscience. The continued use of legislation, often related to the state of emergency, allowed people to be arrested and imprisoned for the non-violent exercise of their human rights. Important political trials took place before military and state security courts with no provision for appeal. Detention procedures allowed prisoners to be held incommunicado for long periods and failed to protect them from torture and ill-treatment.

Amnesty International learned of five executions carried out during the year.

On 24 June 1982 Amnesty International sent a memorandum to President Mubarak describing Amnesty International's concerns in that country. Drawing attention to Egypt's ratification of the International Covenant on Civil and Political Rights on 14 January 1982, Amnesty International recommended:

- a comprehensive review of existing legislation which allows the imprisonment of individuals for their non-violent political beliefs or activities;
- an amnesty for all prisoners of conscience;
- that consideration be given to lifting provisions of the state of emergency legislation which have facilitated the arbitrary arrest and imprisonment of individuals for their conscientiously held beliefs, as well as incommunicado detention and trials before exceptional courts;
- that impartial machinery be established to investigate all allegations of torture and ill-treatment, and steps taken to bring those responsible for the torture of detainees to justice and to compensate the victims;
- that all outstanding death sentences be commuted as a humanitarian gesture of clemency and that consideration be given to abolishing the death penalty.

In an accompanying letter to President Mubarak Amnesty International said that it hoped the memorandum would form a basis for discussion and proposed sending a delegation to Cairo for this purpose.

Amnesty International continued its work on behalf of more than 20 adopted prisoners of conscience, most of whom were released into provisional liberty pending trial. They included Pope Shenouda III, spiritual leader of the Coptic Orthodox Church, who had been confined in a monastery in Wadi Natroun since September 1981, and Ali Said Zahran, a furniture maker who completed his five-year sentence for activities on behalf of a banned communist organization in September 1982.

Large-scale arrests started in September 1981 under President Sadat and after his assassination in October 1981 thousands more were arrested. Arrests continued in 1982. The majority of those arrested were allegedly members of various Islamic organizations, but a group of about 30 people alleged to be communists were arrested in February. They were held under detention procedures introduced under the state of emergency imposed in October 1981 following the assassination of President Sadat and renewed for a further year in

October 1982. These procedures allowed for detainees to be held for a renewable period of six months, with no recourse to a court of law to challenge their detention. At the end of the six-month period petitions for release could be addressed to the President of the Republic who was responsible for deciding on release or renewed detention. These procedures were contrary to Article 9 of the International Covenant on Civil and Political Rights which states among other things that the detainee should be informed promptly of the reasons for arrest and the charges faced, and is entitled to go before a court with the power to decide whether the detention is lawful. These procedures were amended by the People's Assembly in June 1982 to permit detainees to appeal for release before the courts.

According to official figures approximately 4,000 detainees were released during the year. Amnesty International was concerned that some remaining detainees had reportedly been held for over one year without charge or trial, and that the names of all detainees, their place of detention and any charges against them were not made public. Amnesty International was also concerned at reports that some detainees had been denied access to relatives or to a lawyer of their choice.

In 1982 a number of important political trials were held before military or state security courts. The trial of 24 people accused of participating in the assassination of President Sadat on 6 October 1981 continued in early 1982 under stringent security precautions before the Supreme Military Court. Amnesty International expressed concern to the authorities that almost all proceedings were being held *in camera* and that defence lawyers were at one stage expelled from the court, and thus were unable to complete their defence. They were replaced by other lawyers appointed by the court. The verdicts were announced on 6 March 1982. Five people were sentenced to death and later executed.

During 1982 two trials took place before the Supreme State Security Court in Cairo in which the defendants were accused of illegal political activities on behalf of the banned Egyptian Communist Party. Thirty individuals were charged in State Security Case No. 632 of 1979 and 47 in State Security Case No. 207 of 1981. Some were charged in both cases. Charged under Law 40 of 1977, and articles of the penal code, they faced a maximum punishment of life imprisonment with hard labour for their non-violent political activity. All had been released provisionally, pending trial. A number had earlier been adopted as prisoners of conscience while in detention. Both trials were scheduled to continue in January 1983.

On 17 April 1982 the retrial began of 176 people initially arrested in connection with the "food riots" of 18 and 19 January 1977. They

were charged with membership of banned political parties (the Egyptian Communist Party and the Egyptian Workers' Communist Party) and with instigating the disturbances through written and other materials. They had originally been tried and sentenced in April 1980 when the Supreme State Security Court acquitted 156 of them and passed sentences of one or three years' imprisonment and fines on the remaining 20. However, these sentences were not served as, under the state of emergency provisions, the verdict was not considered final until it had been reviewed by the President of the Republic. In 1981 President Sadat vetoed the verdict on all 176 defendants and ordered a retrial in another court. In October 1982 the Supreme State Security Court adjourned until 15 January 1983 – six years after the disturbances.

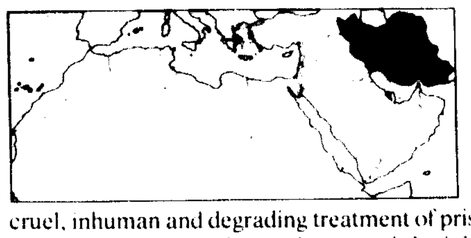
The trial continued of 302 people accused of being members of the Islamic group, *Al Jihad*. They were also accused of attempting to overthrow the government by force and of fomenting armed clashes with the police and security forces, which resulted in more than 80 deaths in Assiut in October 1981 following President Sadat's assassination. The trial was taking place before the Supreme State Security Court and many of the defendants, if convicted, might face the death penalty. Twenty of those charged were being tried in their absence, and two were reported to have died in detention.

Amnesty International was concerned that in all these cases defendants were tried before exceptional courts and denied the right of judicial appeal, contrary to Article 14 of the International Covenant on Civil and Political Rights. The court's verdict is presented to the executive authority, which is empowered *inter alia* to approve the court's decision, reduce the sentence or annul it, or refer the case to a different court for retrial.

In early 1982 Amnesty International received reports of torture and ill-treatment of detainees alleged to belong to various Islamic fundamentalist movements. During the trial of 302 alleged members of *Al Jihad* many defendants reportedly claimed that they had been tortured or ill-treated, and denounced the officers responsible in court. In late December lawyers for the defence urged that the torture allegations be investigated. Amnesty International could not conclude on the basis of available information that torture of political detainees had become routine. However Amnesty International was concerned that the lack of safeguards accorded to political detainees, particularly when state of emergency procedures led to long-term incommunicado detention, increased the likelihood of torture and ill-treatment.

Amnesty International appealed for the commutation of nine death sentences passed during the year on people convicted of premeditated and deliberate murder, and other offences. Appeals

were addressed to President Mubarak on behalf of Khalid Ahmed Shawqi Islambouli, Muhammad Abdul Salam Farag, Abdul Hamid Abdul Salam Abdul Al, Ata Tayel Rahel and Hussein Abbas Muhammad who were sentenced to death by the Supreme Military Court on 6 March for their part in the assassination of President Sadat. The five were executed on 15 April.



Iran

Amnesty International's concerns were the large number of executions, numerous allegations of torture and cruel, inhuman and degrading treatment of prisoners, the imprisonment of many prisoners of conscience and denial of fair trials to political prisoners. Amnesty International recorded 624 executions during 1982, but regards this as a minimum figure. The information received concerning torture indicated that it was a routine practice in many prisons in Iran. The number of prisoners of conscience was not known, but the cases brought to the attention of Amnesty International indicate that of the thousands of political prisoners, many were detained because of their non-violent political or religious beliefs or activities or ethnic origins, or simply because of their relationship with people who had been politically active. Arrest appeared to happen quite arbitrarily, prisoners were often held for long periods before being charged and those trials that did take place lacked the safeguards which would ensure a fair trial.

On 29 January 1982 Amnesty International raised all its concerns in a letter to Prime Minister Hussein Musavi. The letter referred to the large number of executions and pointed out that: "... in many cases there is no indication that those executed have been tried, or have had any opportunity to appeal against death sentences when these are passed. Very often executions are not announced and families are informed that they have taken place some time after the event or not at all." Amnesty International urged the authorities to investigate allegations of torture and to "issue a public, unequivocal condemnation and prohibition of torture from the highest level." The letter also expressed the wish to "discuss with Your Excellency and other relevant government ministers all matters of concern to Amnesty International and hopes that it will be possible for us to send a delegation to Iran for this purpose in the very near future." No reply was received.

At the end of 1982 the number of executions recorded by Amnesty International since the revolution of February 1979 was 4,605, of which 624 took place in 1982. However, these figures reflect only officially announced executions, and exclude those which have not been announced by the authorities. Amnesty International cannot estimate the number of unannounced executions, but information received from many different sources before and during 1982 suggests that they have occurred on a large scale.

Those executed included members of the Baha'i faith; Kurds; people accused of espionage; monarchists; and "counter-revolutionaries", including members of groups actively opposed to the government, such as the *Mujahideen, Peykar, Fedayeen* and *Sarbedaran*. Others were accused of participation in attempted coups. They included former Foreign Minister Sadegh Ghotzbadeh and two alleged co-conspirators who were shot in September. In August reports from exile sources were widely quoted that about 70 army officers had been executed in connection with the alleged Ghotzbadeh plot. Of these the names of three officers were given.

In many cases the charges cited were so vague that the exact offence was not known, although the wording made it clear that it was political. The *Jerusalem Post*, 11 October 1982, reported the execution of a Jew, Mussa Frejj-Zeida Hahimi, accused of spying on behalf of Israel. Jews and Baha'is – whose international headquarters are in Israel – have been particularly vulnerable to charges of "Zionism" or espionage on behalf of Israel.

Executions for drug and alcohol offences continued and executions were reported for adultery and homosexuality. On 21 September *Reuters* reported that a new law would punish persistent homosexuality by execution. *Reuters* also quoted Iranian newspapers as saying that the stoning to death of adulterers would be more widespread under the new legislation. Reports of the execution of pregnant women and people under 18 continued during 1982. Article 6(5) of the International Covenant on Civil and Political Rights, which Iran has ratified, states: "Sentence of death shall not be imposed for crimes committed by persons below 18 years of age and shall not be carried out on pregnant women."

Allegations of torture, sometimes resulting in death, continued. Former prisoners interviewed by Amnesty International described being whipped while suspended by their wrists and whippings on the soles of the feet. Prisoners who had not themselves been tortured frequently referred to the torture of fellow-prisoners and to hearing the screams of people being tortured. Towards the end of 1982 Amnesty International received from Iran a detailed report of the ill-treatment

of prisoners in five different prisons, Salehabad (a former dairy farm), Komiteh, Evin, Qasr and Vakilabad (near Mashad). The report was based on the testimony of released prisoners, including some belonging to opposition groups and others not politically involved, and prisoners' relatives. It was consistent with information obtained by Amnesty International from other sources and confirmed that torture had become a routine practice in at least some Iranian prisons. Prisoners described being beaten and whipped with cables on all parts of the body, being hosed with water, being given electric shocks, having their heads held under water and being subjected to mock executions.

Other forms of ill-treatment described by prisoners were being kept blindfolded in very overcrowded conditions for long periods and being deprived of food and water for the first 48 hours of detention.

Whipping and amputation of limbs were officially sanctioned punishments for certain crimes. Amnesty International regards these as cruel, inhuman and degrading punishments. In its "general comments" adopted on 27 July 1982 the Human Rights Committee, set up under the International Covenant on Civil and Political Rights, endorsed the view that corporal punishment is prohibited under Article 7 of the covenant. In many cases reported to Amnesty International the "punishment" of whipping was administered without a trial having taken place.

The number of prisoners of conscience was not known to Amnesty International. In most cases it was impossible to establish whether a given prisoner was a prisoner of conscience: either the person had not been charged, or the charges were phrased in such general terms that Amnesty International was unable to ascertain whether they included a specific offence, or the lack of fair trial made it difficult to assess the validity of a conviction. However, information reaching Amnesty International from many different sources left no doubt that among the thousands of people imprisoned and executed since the revolution were many who had not used or advocated violence. Among them was Abolfazl Ghassemi, one of the leaders of the Iranian National Front and Secretary General of the Iran Party, imprisoned since July 1980 (see *Amnesty International Report 1981* and *1982*). In October Amnesty International learned of further deterioration in his health and appealed once again to the authorities for his release. Also considered by Amnesty International to be prisoners of conscience were four officials of the Iranian Bar Association arrested in January 1982 and still detained without trial at the end of 1982: Abdul Hamid Ardalan (President), Mohammad Taqi Damghani, Jahangir Amir-Hosseini, and Batoul Keyhani (Secretary). Other prisoners of conscience included members of the Baha'i religion, the only substantial religious minority not recognized in the Iranian constitution, who

appear to have been imprisoned and executed for no other reason than their religious belief.

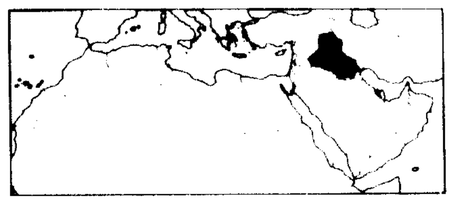
Many people appear to have been arrested for no reason other than their relationship to someone politically active. Sometimes it seems that they were held as hostages; others were treated as guilty by association.

During 1982 the legal system was completely converted to what the leadership has termed "Islamic law". For some time after the revolution both Islamic law, as interpreted by the Islamic Revolutionary Tribunals, and the existing codified law were applied. Although in all the cases which came to the attention of Amnesty International, including those concerning political, religious, sexual, drug and alcohol offences, trials took place before Islamic Revolutionary Tribunals, the ordinary civil courts continued to deal with some civil cases and some criminal offences. On 23 August 1982 the *Tehran Times* published the full text of a speech delivered the day before by Ayatollah Ruhollah Khomeini in which he stated: "I hereby declare to all the judges across the country and all those engaged in judicial affairs that all the laws in practice during the former regime were contrary to Islam and should be discarded . . . The former Ministry of Justice should be transformed into an Islamic Justice Ministry. Anyone who still insists on practising according to the laws of the former regime should be tried himself." On 24 August the *Tehran Times* reported that: "The High Judicial Council yesterday in a circular instructed all courts and prosecutors' offices of the Justice Department to consider null and void all laws which are contradictory to Islam."

Amnesty International believes that the guarantees necessary for a fair trial are effectively lacking in cases heard by the Revolutionary Tribunals (see the Amnesty International report, *Law and Human Rights in the Islamic Republic of Iran*, May 1980). In particular, defendants are often not told the exact charges against them; they are not always allowed to call defence witnesses or to question witnesses against them; they are not allowed counsel of their choice; many trials are closed to the public; there is no effective right of appeal and no effective presumption that defendants are innocent until proved guilty. Many prisoners were held for long periods without charge or trial and some prisoners appear to have been executed without trial, or after a very summary trial.

At its 16th session in July 1982 the Human Rights Committee considered a report from Iran on its implementation of the International Covenant on Civil and Political Rights. Members of the committee raised specific questions relating to summary executions, torture, arbitrary arrest and detention and religious freedom, particularly in

connection with the repression of the Baha'is. These were not addressed in substance in the subsequent response of the Iranian representative who, however, assured the committee that a comprehensive and detailed report was being prepared and would be submitted when the constituent assembly had approved all laws and had communicated its findings to the executive power. Amnesty International also submitted information to the Secretary-General of the United Nations in connection with Resolution 198/27 of the UN Commission on Human Rights which requested him to establish direct contact with the Government of Iran on the human rights situation in the country and to submit a report to the commission in February 1983.



Iraq

The concerns of Amnesty International continued to be the arbitrary arrest and detention of individuals for the non-violent expression of their political beliefs, the lack of basic legal safeguards in trials of political prisoners before the Revolutionary Court and the Special Military Court, "disappearances", torture and deaths in custody. Amnesty International continued to be concerned about the large number of executions, including executions for political offences after trials lacking basic legal safeguards.

Political activity, including belonging to or associating with an illegal organization, attending unauthorized meetings, taking part in anti-government demonstrations, printing, distributing or reading banned political literature, and refusing to join the ruling Ba'ath party, could all lead to arrest, imprisonment and, in some cases, to execution. Members and ex-members of the Ba'ath party and the armed forces faced the death penalty if they joined or associated with any illegal party, including *Al Da'wa Al Islamiya* (the Islamic Call), the Iraqi *Mujahideen*, the Iraqi Communist Party, the Kurdish Democratic Party, the Patriotic Union of Kurdistan and several other smaller Kurdish parties. Amnesty International remained concerned about the widespread arbitrary arrest and detention of suspected opponents of the government. Although Amnesty International received the names of hundreds of people reportedly detained on political grounds since 1979, it was not able to estimate the total number of political prisoners. Opposition and exile sources claimed that there were thousands of political prisoners held in Iraq.

During 1982 the cases of 38 possible prisoners of conscience were under investigation by Amnesty International (see *Amnesty International Report 1981* and *1982*). Amnesty International repeatedly requested information from the government regarding these cases, but the authorities rarely responded, except to say that Amnesty International's information was "unreliable" and "without foundation".

In April 1982 Amnesty International learned of the arrests of four assistants to Ayatollah Al Kho'i, a spiritual leader of the world's Shi'a Muslim community. They were Mohammad Irwani, Mohammad Badqubi, Sayyid Kammoussi and Mohammad Taki Jalali. Eleven of his closest assistants and many of his 131 students had reportedly been arrested shortly after the beginning of the Iraq-Iran war. In 1981 Amnesty International wrote to the Iraqi Government requesting information about these reported arrests but received no reply. The fate and whereabouts of all these prisoners remained unknown, although Amnesty International received unconfirmed reports that Mohammad Taki Jalali had been executed.

In August 1982 Amnesty International received reports that 52 people suspected of opposition to the government were arrested in July 1982 in the areas of Najaf, Kerbala and Khadhimiya. The charges against them and their whereabouts were unknown.

Following riots and demonstrations during the first half of 1982 many arrests reportedly took place in various cities in Iraqi Kurdistan including Qalat Diza, Halabjah, Ranya, Irbil, Suleimaniyah and Kirkuk. Kurdish opposition sources alleged that the security forces opened fire on the demonstrators, killing several, and that two demonstrators in Irbil were picked at random by the security forces and executed on the spot. Amnesty International was unable to verify these reports.

On 16 July 1982 the Revolutionary Command Council issued an amnesty for all Kurds accused of taking up arms against the Iraqi Government in the autonomous region. Deputy Prime Minister Tariq Aziz stated on 10 August that all member of the Iraqi Communist Party were also granted amnesty. On 6 August Amnesty International wrote to President Saddam Hussain for details of the amnesty but received no reply. To Amnesty International's knowledge the government published no information concerning the names or number of political prisoners who benefited from the amnesty.

Amnesty International was concerned about the continued failure of the government to account for the "disappearance" of several members and supporters of the Iraqi Communist Party. These included Dr Sabbah al-Durrah and Dr Safa al-Hafidh, both arrested on 8 February 1980, and Aida Mutar Yassin, Leyla Yusif, Raja' Abdul Majid, Ramzia Jada' Al Shiabany, all arrested in July 1980.

Their relatives claimed that they had not been able to obtain any information about them since their arrest. Amnesty International asked for information about these arrests but received no reply.

Amnesty International continued to receive allegations of torture and reports of death under torture. After its publication *Iraq: Evidence of Torture* appeared in April 1981, Amnesty International learned of 29 people who allegedly died under torture between 1979 and 1981.

After the publication of the report Amnesty International called on the Iraqi Government to receive an Amnesty International mission to discuss the report and aspects of legal and administrative practice. The government agreed to receive an Amnesty International delegation at the beginning of 1983.

Amnesty International continued to receive reports on the summary proceedings employed by different types of special court, including the Revolutionary Court in Baghdad and the Special Military Court in Kirkuk. The Revolutionary Court dealt with offences against internal or external security as well as certain economic and drug offences. It consisted of two military officers and a civilian president who were all members of the ruling Ba'ath Party. The defendant was usually only given access to a defence lawyer after the investigative stage had been closed and trials were frequently held *in camera*. The Special Military Court of Kirkuk tried Kurds arrested in the Kurdish region charged with political offences. Trials were held *in camera* and no defence counsel permitted. Amnesty International received numerous reports of detainees having been tortured before being brought before this court. Sentences by both courts were final: no appeal to a higher court of law was allowed, even in death penalty cases. The majority of death sentences in Iraq were pronounced by special courts.

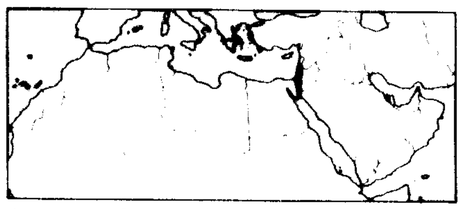
According to reports received by Amnesty International 27 members of the Turkuman community were executed in early February 1982 in the village of Tiss'een near Kirkuk. It was not known whether they had been charged or tried. In December 1982 Kurdish opposition sources reported the executions in August 1982 of 10 members and supporters of the banned Patriotic Union of Kurdistan. They were allegedly tried by the Special Military Court in Kirkuk and sentenced to death.

According to the predominantly Shi'i *Al Da'wa Al Islamiya*, 166 of its members and supporters were executed in early 1982. Legislation in force since 1980 makes membership of, or affiliation to, *Al Da'wa Al Islamiya* an offence carrying the death penalty. On 4 January 1982, the official news agency, INA, reported that 30 members of *Al Da'wa Al Islamiya*, "convicted of crimes punishable by execution", benefited from a presidential pardon. Amnesty International wrote to the President welcoming the amnesty and

requested that this measure be extended to all those under sentence of death. It also requested the names of all those who were amnestied but received no reply.

Thirty-five members and supporters of the Iraqi Communist Party were reportedly executed in Kerbala in September and October 1982. Their bodies were said to have been returned to their families for burial. Amnesty International was unable to verify these reports. Other reports reaching Amnesty International suggested that several army officers had been executed for their "bad performance" in the Iraq-Iran war.

No executions known to Amnesty International were announced or confirmed by the authorities except that of Dr Riad Ibrahim Hussain, former Health Minister, following his dismissal from the government in June 1982. The exact date of his execution was not known nor whether he was charged or tried. The official news agency quoted President Saddam Hussain as saying that Dr Riad Ibrahim Hussain "had imported medicine which killed people" and had been executed as a "traitor".



Israel and the Occupied Territories

The concerns of Amnesty International were the imprisonment of prisoners of conscience; the use of administrative measures, with no judicial involvement, to physically restrict individuals and detain them without charge or trial; the widespread use of short-term detention without charge or trial; the practice of summary trials; allegations of ill-treatment of detainees; and killings by the security forces during public disturbances. It was also concerned about the detention with no legal rights of thousands of people captured by the Israeli Defence Forces (IDF) after the Israeli invasion of Lebanon, and allegations that these detainees were ill-treated.

During 1982 Amnesty International worked for the release of 58 prisoners of conscience and investigated the cases of three possible prisoners of conscience. Forty-one of these 61 prisoners were released during the year. Six cases were people convicted of security offences, seven were conscientious objectors, and 48 were imprisoned or restricted in their movements by administrative order.

The Israeli authorities frequently suggested that prisoners adopted as prisoners of conscience or investigated by Amnesty International had advocated violence, for example by openly sympathizing with or belonging to the Palestine Liberation Organization (PLO). Amnesty International holds that sympathy or membership as such does not necessarily show that an individual advocated violence, and works for the release or fair trial of such people when there is no evidence of their individually having used or advocated violence.

During 1982 Amnesty International learned of 13 reservists and regulars in the IDF who were sentenced to between 14 and 35 days' imprisonment for refusing to serve in the Occupied Territories or, after the invasion in June, in Lebanon. All were charged with "refusing to obey an order". Amnesty International repeatedly appealed for their release as prisoners of conscience.

Amnesty International continued to be concerned about the use of the July 1980 Amendment to the Prevention of Terrorism Act which makes it an offence, in Israel proper, to publicly show sympathy with a hostile organization "whether by hoisting a flag or displaying a badge or slogan or by causing an anthem or slogan to be heard". In May, for example, Ghazi 'Abd 'Ali from Galilee was sentenced to 32 days' imprisonment, plus six months' suspended, for singing a nationalist song during demonstrations in March. Nine people were sentenced in August to two months' imprisonment and six months' suspended after a Palestinian flag was found in their social club.

In the Occupied Territories the possession or distribution of illegal literature or propaganda material is an offence under Article 85 of the Defence (Emergency) Regulations and Security Provisions Order (SPO) 101. A typical case was Hamdi Farraj, a journalist, who was detained from 1 April to 3 May, charged with possession of 12 illegal books, fined, and given a six-month sentence suspended for three years.

Amnesty International informed the Israeli authorities of its concern about thousands of prisoners captured and detained by the IDF following the Israeli invasion of Lebanon on 6 June 1982. Not only combatants, but also civilians – including many medical personnel – of Palestinian, Lebanese and other nationalities were arrested in large numbers. They were initially held in temporary detention and interrogation centres in southern Lebanon, and in Israeli prisons and prison camps. From the second week in July most detainees were transferred to a prison camp constructed at Al Ansar in southern Lebanon. In mid-November Israeli officials stated that over 9,000 people had been detained in Al Ansar camp, of whom over 5,400 were still held. However, this figure did not include those Palestinians and Lebanese arrested who were never transferred to Al

Ansar camp, many of whom were held in incommunicado detention in Lebanon and Israel and later released.

On 1 July 1982 Amnesty International wrote to the Israeli authorities expressing concern that prisoners arrested in Lebanon were not being treated in accordance with internationally accepted standards, and that they were being held incommunicado. Amnesty International urged the government to allow the prisoners access to a humanitarian organization and to family and lawyers, and to publish full details of the prisoners. In his reply of 25 August 1982 the Attorney General stated that Al Ansar detainees were being treated according to the Fourth Geneva Convention and that the International Committee of the Red Cross (ICRC) was conducting regular visits.

On 22 October Amnesty International reiterated its concerns, saying that the ICRC visits had begun only on 18 July, up to five weeks after arrests started, that detainees had still not received visits from families or lawyers, and that Palestinians captured in Lebanon and detained in Israel were still being held incommunicado. Amnesty International also called on the government to release promptly all remaining detainees or to "grant them the right to confront and refute evidence against them". By the end of 1982 several Israeli lawyers had been given power of attorney by some of the detainees' families but none had been allowed to visit their clients in Al Ansar camp, or in Israeli prisons. In November a review committee composed of three IDF officers was set up at Al Ansar camp to examine the cases of detainees who had appealed against their imprisonment.

Amnesty International continued to work on behalf of individuals detained or physically restricted by administrative order. Three-month administrative detention orders were served on 13 Druze from the occupied Golan Heights in February, March and May. Their arrest followed a decision by leaders of the Golan Druze community to hold a general strike in protest at the Israeli annexation of the Golan Heights on 15 December 1981, and at the government's policy of issuing Golan Heights residents with Israeli identity cards. Nine of the orders were renewed for a further three months. All 13 were released by the end of the year.

Under Article 110 of the Defence (Emergency) Regulations of 1945 in Israel proper, and Article 86 of SPO 378 in the Occupied Territories, people can be confined to their towns or villages by day, and their homes by night. This is "to preserve public safety and order" according to the Attorney General in reply to Amnesty International inquiries about such cases. In 1982, 77 restriction orders affecting 57 people were issued. Those restricted included political activists, mayors, journalists, lawyers, trade unionists, academics and students. Amnesty International worked on behalf of 35 restricted persons

during the year. They included three Palestinian trade unionists Haj 'Abd Abu Diab, Ibrahim Daqqaq and Jiryis Khouri who were placed under town arrest on 1 January 1982, and whose orders were later renewed; and 'Ali 'Awad al Jamal, whose case Amnesty International had investigated when he was held in administrative detention from May 1975 to March 1982 and who was issued with a restriction order on 2 March 1982, immediately upon his release. Restriction orders, initially issued for three or six months, were repeatedly renewed. Amnesty International knew of 24 people restricted for over two years, and one for four years (see ***Amnesty International Report 1982***).

Amnesty International was concerned about the use of short-term detention to hold hundreds of West Bank demonstrators, mainly school children and students, protesting at Israeli policies in the Occupied Territories and in Lebanon, and many others arbitrarily arrested apparently to deter them from demonstrating. These detainees were held under the authority of the army in *ad hoc* detention centres such as the one at Al Far'a near Nablus. Most were released after 18 days (the legal limit for holding a person without charge under Security Provisions Order 378) and many were rearrested. The arbitrary nature of many of these arrests was attested to during the trial in Jaffa of seven Israeli soldiers charged with assaulting West Bank residents and detainees. The trial was in progress at the end of 1982. One defendant stated: "We were told to collect them, 150 or 200 at a time, whoever happened to be around. It didn't matter if they had demonstrated or not." (***Jerusalem Post***, 5 January 1983) Another described arresting Palestinians on the basis of lists compiled by the civilian administration even though they were not suspected of having committed an offence.

Amnesty International was also concerned about the practice of summary trials. Between February and May hundreds of people, mostly demonstrators, were tried individually and in groups of up to 60 and sentenced to imprisonment for up to nine months or fined. These trials were often held in *ad hoc* courtrooms, and Amnesty International was concerned that they might not have been fair, since the proceedings were so rapid that lawyers and defence witnesses were often unable to be present.

Amnesty International received a number of testimonies from former prisoners who alleged that they were beaten and subjected to sensory deprivation while in custody or during interrogation. However, Amnesty International was not able to investigate these allegations thoroughly. The authorities charged several members of the IDF with ill-treatment of detainees during the year. In the trial of seven soldiers cited above, defendants testified that they had been ordered by their

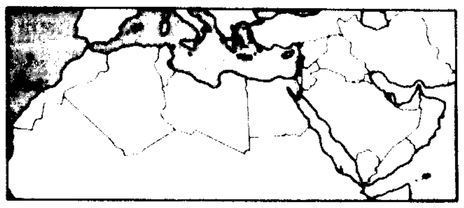
commanding officer to beat up demonstrators and detainees. Three soldiers, two of them women, were prosecuted early in 1982 for assaulting detainees, and were given prison sentences of one, three and six months.

Amnesty International received press reports and first-hand accounts alleging that people captured during the Israeli invasion of Lebanon and held in temporary detention centres were, at least until the third or fourth week of June, beaten indiscriminately and often severely, exposed to the sun for long periods, deprived of food and water sometimes for several days, and threatened and intimidated. This treatment was reported to have led to serious injury, illness and, in seven or eight cases, to death. Amnesty International wrote to the Attorney General on 1 July and asked for an immediate public inquiry. The Attorney General, in his reply of 25 August, dismissed these press reports as "exaggerated" and "fabricated", but stated that "any specific allegations of maltreatment will be carefully looked into and, if necessary, the appropriate action taken". In its reply of 22 October Amnesty International reiterated its call for a full inquiry to establish whether ill-treatment occurred. The Israeli military authorities were reported to be investigating the deaths of seven men whose bodies were found in an Israeli detention centre in Sidon, as well as allegations of ill-treatment which were brought to their attention. Amnesty International received no details of their findings. Amnesty International continued to receive reports of ill-treatment of people arrested by the IDF in Lebanon.

In 14 separate incidents during 1982, 15 demonstrators were shot dead and hundreds of others injured by the IDF in the Occupied Territories. In a letter to the Prime Minister on 22 July Amnesty International expressed concern at the repeated shooting and killing of demonstrators. Amnesty International said it could not, without new information, accept the arguments of self defence or "panicky" reaction by troops to justify the shooting and killing of demonstrators who did not have firearms. It urged the government to prevent further loss of life during demonstrations, to initiate an inquiry into the incidents and to make public its findings. In his reply of 15 December the Attorney General pointed out that "thorough investigation and prosecution are undertaken against all those suspected of any breaches of the law, whoever they may be". The Israeli army had been conducting its own investigation into the killings since early May 1982 following allegations of police brutality by three Israeli reserve officers serving on the West Bank. As a result two senior Israeli officers were relieved of their posts, and two officers given three-month and four-month suspended sentences for causing the death of Arab demonstrators.

Following the killing of hundreds of Palestinian and Lebanese

civilians in the Sabra and Chatila refugee camps in West Beirut by armed Lebanese militiamen between 16 and 18 September 1982, the Israeli Government established a judicial commission to determine whether the Israeli authorities had any responsibility in this. The IDF were in military control of the area at that time. The commission, headed by the chief justice of the Supreme Court, met in open and closed sessions and heard testimony from front-line commanders and high-ranking military officers and cabinet officials, including the Army Chief of Staff, the Minister of Defence and the Prime Minister. As 1982 ended the commission's work was still in progress. Amnesty International had urged the United Nations to establish an impartial, independent and international inquiry into the atrocity. It had also called on the Israeli Government to act rapidly to clarify the circumstances of the killings and to cooperate in any international investigation.



Lebanon

Following the massacre of hundreds of civilians, primarily Palestinians, at the Sabra and Chatila refugee camps in West Beirut Amnesty International appealed on 22 September 1982 to the United Nations to set up an investigation into the events. At the same time Amnesty International asked the Lebanese President Elias Sarkis and Prime Minister Shafiq al-Wazzan, as well as Prime Minister Begin of Israel, for their governments' full cooperation with such an international inquiry.

Shortly afterwards the newly elected President Amin Gemayel initiated an inquiry into the massacre. It was reported that this inquiry, led by Prosecutor General Assad Germanos, was being carried out in the strictest secrecy, without even the procedures followed being made public. In a letter sent to President Amin Gemayel on 22 December 1982 Amnesty International stressed its view that "for such an inquiry to be effective, and for its conclusions to be considered impartial and reliable, it must be open to public scrutiny in a manner that is compatible both with the needs of the investigation and with the need to assess publicly its conclusions."

In the same letter Amnesty International noted its concern at reports that more than 1,000 individuals, mostly Palestinians but also

Lebanese and other nationals, were being held in custody by the Lebanese army and security forces and had not been permitted visits by lawyers, relatives or outside observers. Many had been held in incommunicado detention for over 10 weeks. Amnesty International referred to reports that some of these prisoners had been ill-treated. A number of individuals were also said to be held by Phalangist militia, outside the normal legal process, allegedly in connection with the assassination on 14 September 1982 of President-Elect Bachir Gemayel. Amnesty International urged President Amin Gemayel to investigate these reports, to make public the names and number of those detained, to ensure that all detainees be allowed their full legal rights, including the right to be visited by lawyers and relatives. Amnesty International also appealed to the President to allow outside observers, such as the International Committee of the Red Cross, access to the prisoners.

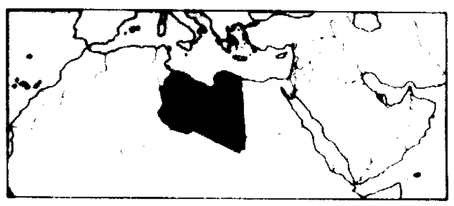
Amnesty International was concerned about the detention by the Israeli Defence Forces (IDF) of thousands of people of Palestinian, Lebanese and other nationalities that they had captured in the Lebanon after their invasion in June 1982; about the lack of legal rights of the detainees and about allegations of ill-treatment. As well as combatants many civilians – including medical staff – were arrested. At first they were held in temporary detention and interrogation centres in southern Lebanon and in prisons and prison camps in Israel. From the second week in July most of these detainees were transferred to a prison camp constructed at Al Ansar in southern Lebanon. Official Israeli figures stated that by mid-November 9,040 detainees had been held at Al Ansar camp, and that of these 3,000 had been released. However, these figures excluded many detainees held incommunicado by the IDF in both Lebanon and Israel who were later released and never transferred to Al Ansar camp.

Amnesty International wrote to the Israeli Government on 1 July 1982 expressing concern that the prisoners detained in Lebanon were held incommunicado and that their treatment failed to conform to internationally recognized standards. Amnesty International called on the authorities to grant the detainees access to international humanitarian organizations and to relatives and lawyers, and to publish full details of the prisoners.

Amnesty International repeated its concerns on 22 October, pointing out that detainees were still not allowed access to relatives or lawyers, that the International Committee of the Red Cross had only been allowed to visit after 18 July, as much as 35 days after the detentions began, and that Palestinians arrested in Lebanon and transferred to Israel were in incommunicado detention. Amnesty International urged the government to release the remaining detainees

or to allow them the right to confront and refute evidence against them. A committee was established in November 1982 to review the cases of detainees who had appealed against their detention, consisting of three officers of the IDF. It was not known by the end of 1982 what results this had produced. The families of some detainees gave power of attorney to Israeli lawyers, but by the end of the year none of these lawyers had been allowed to visit their clients at Al Ansar camp.

Amnesty International received allegations, including eye-witness reports, of ill-treatment of detainees arrested during the Israeli invasion of Lebanon and held in temporary detention centres. It was alleged that at least until the third or fourth week of June, detainees were indiscriminately and, in many cases, badly beaten, deprived of food and water, in some cases for periods of several days, exposed to the sun, threatened and intimidated. It was reported that detainees had suffered serious injuries and illness, and that several detainees had died as a result. On 1 July and on 22 October Amnesty International urged the Israeli Government to establish a full and public inquiry into these allegations of ill-treatment.



Libya

Amnesty International was concerned about renewed official calls for the "physical liquidation of enemies of the revolution". It was also concerned about the continuing imprisonment of at least 80 prisoners of conscience under legislation for "the protection of the revolution" which explicitly restricts the non-violent exercise of fundamental human rights; hundreds of arbitrary arrests; prolonged pre-trial detention; summary procedures of revolutionary courts with no right of appeal; allegations of routine torture by the intelligence services and revolutionary committees during interrogation; and three deaths in custody.

On 7 October 1982 Tripoli radio broadcast a speech by Colonel Gaddafi at a rally in Jabal Al-Akhdar during which he warned Libyans abroad, as he had in 1980, to return home or face liquidation by the masses. He stated that "from now on, this cannot be restricted to the revolutionary committees alone . . . Every Libyan who travels abroad . . . if he is a Libyan loyal to Libyan soil, wants Libya to be free . . . He is then responsible for the elimination of its enemies wherever they are."

In official pronouncements on 10 October, 20 and 25 December 1982 Colonel Gaddafi renewed his call for the continuation of the campaign to eliminate his opponents. In a live radio and television broadcast on 20 December he said "the revolution has destroyed those inside the country, and now it must pursue the rest abroad". Since a declaration in February 1980 which called for "the liquidation of enemies of the revolution abroad" and of "counter-revolutionary elements within Libya", over 15 Libyans living abroad have been the victims of assassination attempts. (See *Amnesty International Report 1980, 1981, 1982.*)

Amnesty International was not in a position to estimate the total number of political prisoners held. Access to the country and travel by Libyans abroad remained strictly controlled and no reliable statistics were published on political arrests or prisoners. Nor did the Libyan authorities respond to Amnesty International's inquiries.

Amnesty International remained concerned about the continued imprisonment of 80 known prisoners of conscience. Many were serving life sentences in Tripoli and were said to be suffering from ill-health and severe depression. (See *Amnesty International Report 1980, 1981, 1982.*)

Amnesty International was concerned about reports that several hundred students had been arbitrarily arrested in a number of incidents during the year, beginning in April. That month 100 students from Gar Yunis University in Benghazi were reportedly arrested for their alleged "lack of support for the revolution". Several were believed to have been released shortly thereafter but the whereabouts of the others remained unknown. Amnesty International was not able to verify these reports.

Between June and August fresh arrests were reported, particularly of students including 10 women from Tripoli and Benghazi Universities, for writing "anti-revolutionary" slogans on the walls of the universities. A revolutionary court composed of members of revolutionary committees rather than of the judiciary was said to have been set up to try these prisoners. However, no details of the exact charges against them or their places of detention were available. Amnesty International was seeking further information on these events at the end of 1982.

Amnesty International was concerned about the continued detention of several alleged former members of the pro-Iraqi wing of the Ba'ath Party, including students, lawyers, teachers and writers, who were arrested in February and March 1980 (see *Amnesty International Report 1981*). They were tried before a criminal court on charges of membership of an illegal organization and were reportedly acquitted after the court heard evidence that the defendants' statements had been extracted under torture. However, an administrative decree overruled

the verdict and they remained in prison, reportedly in Tripoli Central Prison. On 18 August Amnesty International expressed its concern to the authorities that the defendants had been denied a fair trial, that the defendants had been tortured before their trial, and that the court verdict ordering their acquittal and release had been overruled by an administrative decree.

In December 1982 Amnesty International wrote to the Libyan authorities about the continued detention of 13 students from Benghazi High School who were reportedly arrested in December 1981 following rumours of a coup attempt. They were charged with subversive activities and tried before the criminal court in Benghazi. In May 1982 the court ordered their release for lack of evidence against them. Nine days later, however, they were rearrested. Their exact whereabouts as 1982 ended were unknown.

Amnesty International was following the case of Robert Maxwell, a 34-year-old British engineer, who was arrested in December 1980 and detained for two years without trial. He was tried in December 1982 and sentenced to 12 years' imprisonment by the permanent revolutionary court set up in February 1980 to try people charged with economic crimes. The charges brought against him included "leaking secrets about his work in return for bribes" and "submitting false information which misled the people's administration". Amnesty International was unable to say whether or not he was a prisoner of conscience. However, it was concerned that the procedures of the revolutionary court fell short of internationally recognized standards for a fair trial: as far as is known, the tribunal is composed of members of the revolutionary committees rather than of the judiciary, trials are summary, defendants are not allowed to choose their defence lawyers and there is no possibility of appeal.

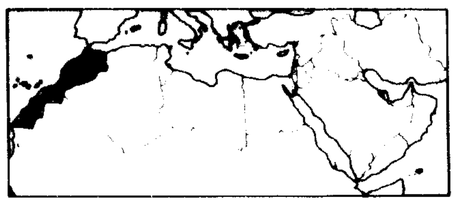
During 1982 allegations of torture and ill-treatment were more frequent and more consistent than in previous years. They appeared to indicate that during interrogation torture of political detainees by the intelligence services and revolutionary committees was routine and systematic. The basement of the Military Intelligence Headquarters in Tripoli, in what was formerly the Ministry of Planning building, was mentioned in most reports as the main torture centre. Among the methods most commonly alleged were beating, kicking, whipping with cables while chained to the wall, beating on the soles of the feet (*falaqa*), electric shocks, threats of execution and threats of sexual abuse.

Amnesty International received the names of three students who were said to have died under torture in 1982. Saleh Al Kounayti from Misratah, Ahmed Ismael Maklouf and Naji Bahouia from Benghazi, arrested in April 1982 following student demonstrations at Benghazi

University, had allegedly died in the custody of the security services. Their bodies were returned to their families in sealed coffins at the end of July. In a letter to Colonel Mu'ammar Gaddafi on 6 October Amnesty International requested an immediate inquiry into these allegations.

Amnesty International was concerned about reports that two Libyan citizens residing in the Federal Republic of Germany were tortured by members of the revolutionary committee at the residence of the Secretary General of the Libyan People's Bureau in Bonn. On 13 November 1982 Elhadi Elghariani and Ahmed Shaladi went to the Secretary General's residence to attend a meeting of the official Libyan Students' Organization. They were allegedly held inside the Secretary General's residence for 24 hours and released only after they had submitted written and recorded confessions about their political activities. Their confessions were said to have been extracted under torture, including beating, kicking, threats of execution and verbal humiliation. Amnesty International was seeking to verify these reports.

Libya retains the death penalty for a number of offences, many of a political nature. Amnesty International was not able to say whether or not any prisoners were executed during 1982.



Morocco and Western Sahara

Amnesty International was concerned about the imprisonment of more than 200 actual or possible prisoners of conscience, long-term detention without trial, incommunicado detention, ill-treatment during pre-trial detention, deaths in detention, "disappearances" and the death penalty. In May 1982 the *Report of an Amnesty International Mission to the Kingdom of Morocco* was published, which examined Amnesty International's human rights concerns in Morocco.

During 1982 Amnesty International called for the release of approximately 125 adopted prisoners of conscience and investigated the cases of over 100 other prisoners from a wide variety of political groups and sections of the population. Groups of these prisoners went on hunger-strike for limited periods on several occasions during 1982 to draw attention to their situation. Approximately 110 of the

prisoners of conscience were members of various Marxist-Leninist groups who had been tried in 1973 and 1977 and sentenced to long prison terms.

During 1982 Amnesty International adopted as prisoners of conscience six leaders of the *Union socialiste des forces populaires* (USFP), the Socialist Union of Popular Forces, and the *Confédération democratioque du travail (CDT)*, the Democratic Confederation of Labour, who had been arrested on 20 June 1981 and charged with complicity in crimes allegedly committed during the strikes in Casablanca of 20 June 1981 (see *Amnesty International Report 1982*). As 1982 ended, their trial had been postponed indefinitely and they were still being held in preventive detention,more than one and a half years after their arrest. They included Mustafa Karchaoui, editor-in-chief of the USFP newspaper *Al-Mouharrir* (banned since June 1981) and Noubir Amaoui, Secretary General of the CDT. Three other officials of the USFP who had been adopted by Amnesty International as prisoners of conscience in 1981 benefited from amnesties and were freed on 3 March 1982, the anniversary of King Hassan's accession to the throne. They had been sentenced to one year in prison for criticizing the Moroccan Government's policy on the Western Sahara and served approximately half their sentences.

Amnesty International was investigating the cases of more than 100 possible prisoners of conscience. They included 15 peasants from the region of Beni-Mellal, arrested in December 1979 after a dispute over land rights and sentenced to up to three years' imprisonment. They were all believed to have been released by the end of 1982. Amnesty International followed the cases of more than 20 Saharans arrested in 1977, tried during 1980 and released during 1981 and 1982 as their sentences expired. Some reports suggested that several were harassed by police after release, including being detained for short periods and not allowed to travel freely.

Amnesty International remained concerned about, and continued to investigate, the "disappearance" of more than 60 other Saharans whose detention has never been officially acknowledged by the authorities. (Amnesty International believes that the actual number of such "disappearances" may be considerably higher.) The government has persisted in its refusal to respond in substance to Amnesty International inquiries in "disappearance" cases.

Amnesty International was investigating the case of Ali Idrissi Kaitouni who was sentenced in 1982 to 15 years' imprisonment and a fine of 100,000 Dirhams (approximately £10,000). He had been convicted of "insult to the dignity of the King and the inviolability of national institutions", "incitement to crimes against the internal security of the state" and the publication of "falsehoods detrimental to

public security". The only evidence against him appeared to be a published collection of his poetry.

After student unrest in November and December 1981 in a number of Moroccan cities, including Oujda, Fes, Rabat and Casablanca, many students were arrested and approximately 50 were tried. Most were sentenced to terms of several months' imprisonment. However, several were judged before the court of first instance in Rabat in January 1982 and sentenced to terms of up to three years; their appeal, first scheduled to be heard in Rabat in June, was postponed until August, when they were finally freed. Among those freed was Hakima Naji, held in Laalou prison in Rabat in an advanced state of pregnancy. Amnesty International had appealed for proper medical attention on her behalf.

Amnesty International was also concerned about the arrests of two people involved in promoting Berber cultural expression: Ouzzin Aherdan, director of the Berber publication *Amazigh*, and Ali Sadki, Professor of Letters at the University of Rabat. Professor Sadki had published an article in *Amazigh* for which he was charged with "publishing false information causing injury to public order and institutions". Ouzzin Aherdan was released shortly after his arrest, but Professor Sadki received a one-year sentence.

In November 1982 approximately 30 USFP militants were arrested in Beni-Mellal following a dispute within the USFP and a confrontation at their local office; four were later sentenced to one year in prison and the others received lesser sentences. In December 1982, after a series of protests over educational issues by students in lycees and at the university in Oujda, the security forces are reported to have attacked students in two lycees and killed several of them. Unofficial sources, which Amnesty International has not been able to corroborate, cited up to seven deaths. As the year ended, Amnesty International was seeking further information regarding both sets of events.

A number of amnesties were granted affecting 676 prisoners in January 1982 and approximately 400 in July. Some prisoners were released and the sentences of others were reduced. However, according to Amnesty International's information, no political prisoners or prisoners of conscience benefited, other than the three USFP officials mentioned above.

Amnesty International received during 1982 allegations that individuals held in police detention centres for interrogation had been ill-treated. These included allegations of beatings and prolonged suspension from bars. Amnesty International continued to be concerned about approximately 100 military prisoners arrested following attempts on the life of King Hassan II in 1971 and 1972, and held in secret

detention since 1973 in cruel and degrading conditions. Amnesty International feared that as many as 20 of these prisoners might have died, partly as a result of these conditions.

In January 1982 two prisoners convicted of child murder were executed. Amnesty International expressed its opposition to the death penalty in all cases in a cable to King Hassan II. In July 1982 Amnesty International appealed for the commutation of the death penalty imposed on Muhammad Daddach for attempting to join the Polisario Front (engaged in a war with Morocco for control of the Western Sahara), and asked that he be given proper medical care. Reports indicated that he was being deprived of treatment for a broken collarbone. No further information was received on this case.

In May 1982 Amnesty International published *Report of an Amnesty International Mission to the Kingdom of Morocco*, containing the text of a memorandum it had submitted to the Moroccan Government in December 1981, which presented in detail its concerns and made a number of recommendations. Amnesty International concluded: "1) that in a number of crucial respects the legal and administrative procedures currently applied in Morocco do not provide sufficient protection against ill-treatment for people in custody; 2) that legally responsible individuals are frequently not carrying out the laws or are interpreting their legal responsibilities in such a fashion as to enhance the likelihood that the fundamental rights of persons in custody will be violated; 3) that legislation has been and is currently being applied in a way that has led to the arrest and conviction of numerous 'prisoners of conscience'; 4) that a number of blatantly illegal practices, contravening both Moroccan law and the international covenants on human rights which Morocco ratified on 3 August 1979, have led to serious human rights violations involving the 'disappearance' of large numbers of people and the deaths in custody of others."

Amnesty International recommended that the government institute a public and impartial commission of inquiry to reform its arrest and detention procedures, establish clear time limits to incommunicado detention and allow arrested people prompt and regular access to lawyers, relatives and medical care. The aim of all these measures would be to protect arrested people from ill-treatment. Amnesty International also urged that all prisoners of conscience be released. It called on the government to provide information about prisoners alleged to have "disappeared" after being taken into custody and about the fate of all military prisoners still held for involvement in the coup attempts of 1971 and 1972 (see *Amnesty International Report 1982*).

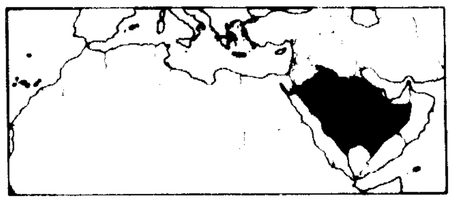
In its memorandum Amnesty International had asked the government to respond to the organization's concerns, but the government

did not reply before the publication of the report. However, as the report was published, several Moroccan embassies issued a statement to the press and the official press in Morocco carried variants of this statement. In addition, several Moroccan officials in Rabat referred to the publication in meetings with the press. In none of these indirect responses were the human rights concerns in the Amnesty International report refuted or squarely addressed, although Moroccan officials criticized the timing of the report, the publication of which coincided with King Hassan's visit to the USA. On 9 June 1982 Amnesty International wrote to Prime Minister Maati Bouabid pointing out that in December 1981, when the King's visit to the USA was scheduled to take place in January 1982, it had informed the government of its intention to publish in May 1982. King Hassan's visit was later postponed to May. In its June letter Amnesty International stressed its disappointment that the authorities had not responded in substance to the issues raised in the report and, more importantly, had not made any public commitment to improve the human rights situation: the Moroccan authorities were violating the provisions of international human rights instruments including the International Covenant on Civil and Political Rights, ratified by Morocco in 1979.

A meeting of various local and regional Moroccan bar associations in Marrakech in June 1982 called for steps to be taken to improve respect for human rights in Morocco. The meeting recommended changes in the Code of Criminal Procedure to safeguard individual rights, ratification of the Optional Protocol to the International Covenant on Civil and Political Rights, providing copies of the Standard Minimum Rules for the Treatment of Prisoners in prisons and detention centres, releasing all political prisoners, and abolishing the death penalty.

In June 1982 Amnesty International submitted information to the United Nations under the procedure to investigate "a consistent pattern of gross and reliably attested violations of human rights".

Amnesty International remained concerned about the fate of Polisario Front members reported to have been arrested by the Polisario Front since 1975 for criticizing the Front's policies. Amnesty International had requested information from the Polisario Front about these individuals in 1981, but by the end of 1982 had received no information.



Saudi Arabia

The main concern of Amnesty International continued to be amputations and the death penalty. Amnesty International was also concerned about reported arrests of possible prisoners of conscience, about inadequate detention and trial procedures characterized by lengthy pre-trial detention, and about allegations of ill-treatment.

On 13 June 1982 King Khalid bin 'Abd al-'Aziz, aged 69, died of a heart attack and was succeeded by his brother Crown Prince Fahd. Prince 'Abd Allah bin 'Abd al-'Aziz, Commander of the National Guard, was named Crown Prince. Following his accession to power, King Fahd declared a partial amnesty covering first offenders convicted of murder, theft, arms smuggling, and corruption as well as alcohol and drug offenders. However, as far as Amnesty International was aware, no political prisoners benefited from this amnesty.

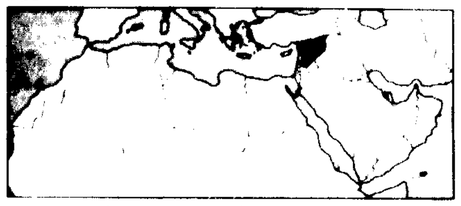
During 1982 Amnesty International received reports of the arrest of over 100 people suspected of being critical of government policies. Most of these arrests were reported to have taken place between May and September 1982. However, they were not acknowledged by the authorities nor mentioned in the Saudi news media. In December 1982 Amnesty International wrote to Prince Nayif bin 'Abd al-'Aziz, Minister of Interior, enclosing the names of 128 detainees, some of whom the organization feared might be prisoners of conscience. It asked for confirmation of arrest and details of any charges or pending trial proceedings against them. Among those detained were Fawzia al-Bakr, lecturer at the sociology department of the University of Riyadh; Salih al-'Azzaz, chief editor of *al-Yawm* newspaper in Dammam; and a number of journalists, teachers and students. The legal status and whereabouts of the detainees was unknown.

Amnesty International was concerned about procedures which led to long delays before prisoners were charged and tried. Several prisoners were reported to have been detained incommunicado for many months, some of them in solitary confinement. For example, two Thai carpenters – Pilarn Pucharoen and Boonsri Prakarnnung – were arrested in April 1980 on suspicion of complicity in the murder of a Yemeni shopkeeper, and held in solitary confinement without charge or trial ever since. Both complained to their lawyer that they had been tortured with electric shocks during their detention. Keith Carmichael, a British subject, was detained incommunicado at Aleysha detention centre from 2 November 1981 until 31 January

1982. During this time requests by the British Consulate to visit him were reportedly refused. When he was eventually allowed access to the British Vice Consul he complained that he had been threatened with sexual assault by a guard and that on the night of 17 November 1981 his feet were padlocked to the back of a chair and the soles of his feet beaten with a cane. As a result his feet and ankles became swollen and he was hospitalized for over two weeks.

Islamic law prescribes amputation of the right hand as the punishment for repeated theft where there are no mitigating circumstances. Amnesty International considers amputation to be a cruel, inhuman and degrading punishment, and as such prohibited by international law. During 1982 Amnesty International learned of three cases in which this punishment was carried out: 'Ali Hamud Muhammad, a national of the Yemen Arab Republic, was convicted by the High Court in Riyadh on 25 February 1981 and his right hand was severed in Justice Square, Riyadh, on 25 June 1982; Roland Debtin, a Filipino, was convicted on 12 July 1982 by a court in al-Ihsa' and his right hand was severed on 23 December 1982; Hamdi bin Zuwai'al bin Nahar al-'Unayzi was convicted on 11 January 1982 by a court in Hafr al-Batin and his right hand was severed on 31 December 1982. In all three cases the convictions were upheld by the court of cassation and the Supreme Court of Justice, and were ratified by royal decree.

Islamic law imposes the death penalty for premeditated murder, adultery, sodomy and rape. During 1982 Amnesty International learned of at least 16 executions which were carried out in public and reported in the Saudi press. Sa'id bin Suqan al-Zahrani was executed on 18 May 1982 in the town of Qula in the province of al-Baha, after being convicted of the murder, in October 1978, of Ahmad bin Musa al-Zahrani. Under Islamic law the relatives of a murder victim may demand retribution (*Qisas*) in the form of the death of the murderer, or they may waive such a claim freely or by settlement. Sa'id bin Suqan al-Zahrani was convicted of murder in 1979 but the courts found it necessary to wait until the heirs of the deceased had reached the age of majority and had all agreed on execution as the form of retribution before sentence could be carried out.



Syria

The main concerns of Amnesty International were the imprisonment of over 200 prisoners of conscience; wide powers of arrest and detention used to detain hundreds of political prisoners; long-term detention without trial, in some cases for over 12 years; summary procedures and the lack of basic legal safeguards in trials by military and state security courts; the routine use of torture by the security forces; "disappearances"; extrajudicial executions including the reported killing of several thousand people in the town of Hama; and the death penalty. Many of these human rights violations took place under provisions of the state of emergency, in force since 1963.

During 1982 Amnesty International worked for the release of 255 adopted prisoners of conscience and investigated the cases of 77 possible prisoners of conscience. They included officials of previous governments, lawyers, and members of banned political parties.

Amnesty International adopted as prisoners of conscience 149 members of the illegal Communist Party Political Bureau (CPPB). They were arrested at various times after the detention in October 1980 of a number of the CPPB's Executive Committee (see *Amnesty International Report 1982*). In January 1982 Amnesty International appealed urgently for the release of Riad al-Turk, First Secretary of the CPPB and an adopted prisoner of conscience. The organization had received reports that he had been moved to the intensive care unit of al-Mezze military prison, unconscious and suffering from severe inflammation of the kidneys and renal failure. He had been held incommunicado since October 1980. Reports indicated that he had been tortured. Amnesty International learned through unofficial sources that his wife, 'Asmah al-Feisal, had been released. She had been arrested and held hostage while the security forces searched for and eventually arrested her husband. Other party members released included Liwa' al-Ashkar and journalist Michel Kilo.

In June 1982 Amnesty International received the names of 54 members of the Party for Communist Action (PCA) arrested and detained at various times since early 1980. (In 1979 Amnesty International had investigated as possible prisoners of conscience over 60 PCA members; most were released in 1980, but a number were later rearrested.) After their arrest, 50 of the 54 detainees were held incommunicado without charge or trial and were adopted as prisoners of conscience. They included journalists, teachers and

students as well as the writer Wa'il Sawwah. The remaining four were tried by state security courts but requests by Amnesty International for information on the charges against them and the sentences passed were not answered. Their cases were taken up for investigation.

Amnesty International continued to seek the release of 17 people who had served in or were connected with the previous government, including Nur al-Din al-Atassi, former President of the Republic, and Muhammad Rabah al-Tawil, a former Minister of the Interior. They were arrested after the coup in November 1970 which brought President Assad to power and in 1982 were in their 13th year of detention without trial in a special wing of al-Mezze military prison, Damascus.

Also adopted as prisoners of conscience were 20 Syrian lawyers detained without charge or trial since April and May 1980 following the dissolution of the General Congress of the Syrian Bar Association and its regional councils (see *Amnesty International Report 1982*). In December 1982 international appeals were sent on behalf of one of this group, Maitre Muwaffaq al-Din al-Kozbari, who had been moved from al-Qala'a prison, Damascus, to a nearby hospital suffering from kidney stones, malfunction of the gall bladder and serious loss of weight. Maitre Muwaffaq al-Din al-Kozbari was President of the Prisoners' Care Association and First Secretary of the Syrian League for the Defence of Human Rights.

Amnesty International continued to work on behalf of members of the Kurdish Democratic Party detained without trial for more than nine years. Since their arrest in 1973 for protesting in a memorandum to President Assad against the planned displacement of Syrian Kurds from their homes in northern Syria, they had been separated and transferred at different times to various prisons in Damascus and Aleppo. Repeated Amnesty International appeals to the government for their release as prisoners of conscience and requests for information on their health and whereabouts remained unanswered.

Among the 77 cases being investigated by Amnesty International were those of 38 youths detained on 15 March 1980 in the town of Deir al-Zor following an anti-government demonstration. Three months after their arrest they were transferred to an unknown destination and, despite appeals to President Assad, their parents were not told of their fate or whereabouts. Amnesty International was also investigating the "disappearance" of Tawfiq Drak al-Siba'i, a 35-year-old neurologist and father of five. He was detained in Homs towards the end of May 1980 after a letter sent to him by relatives in Saudi Arabia had been intercepted by the Syrian censors. On 2 June he was transferred to an unknown destination. When approached by his relatives, the prison authorities in Homs denied any knowledge of

his whereabouts and there was no response from the Syrian authorities to inquiries on his behalf.

Amnesty International received a number of allegations of torture and ill-treatment of detainees by security forces in 1982, as in previous years. Although the organization was not able to verify fully these allegations, they were consistent with reports received over many years, some of which have been supported by medical evidence. Amnesty International believed that the security forces were systematically torturing detainees suspected of security offences.

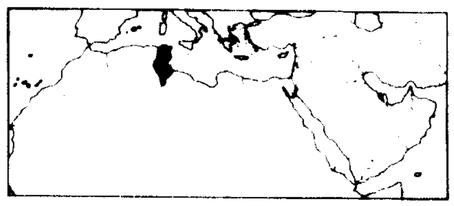
Urgent appeals were sent in June 1982 on behalf of Fateh Jamus, Jamil Hatmal and 'Abbas 'Abbas, members of the PCA who had been tortured and transferred to al-Mezze military prison hospital for urgent treatment. In July Amnesty International learned of the release in a weakened condition of Jamil Hatmal, who was known to suffer from heart disease before his arrest. Unconfirmed reports indicated that Fateh Jamus might have been transferred to Tadmur desert prison. There was no news on the whereabouts of 'Abbas 'Abbas. The last two were adopted as prisoners of conscience.

Amnesty International learned of 12 officially confirmed executions in 1982. In June a Syrian was hanged publicly after being tried for armed robbery; in July a man was hanged for the murder and attempted rape of a minor; in August five people were hanged, three for armed robbery, an army deserter for spying for Israel, and a bank manager for embezzling over four million dollars of public funds; and in October four army deserters were shot and a civilian hanged for armed robbery, looting and burglary. Six executions took place in Damascus, five in Aleppo and one in the southern city of Dera'a.

Although these were the only executions officially acknowledged in 1982, there were numerous unconfirmed reports of executions within prison walls after trials by military courts with summary rules of procedure. In February 1982 the international news media reported the arrest of more than 300 Syrian army and airforce officers following the discovery of a plot to overthrow the government. Up to 50 officers were reported to have been sentenced to death. In its publication of 12-18 February 1982 the Paris-based Arabic weekly *al-Watan al-'Arabi* reported that 19 officers had been executed and six had received prison sentences of between 10 and 15 years. Amnesty International was not able to verify these reports.

On 2 February violent clashes between security forces and Muslim Brotherhood fighters, following the discovery by the security forces of a hidden cache of arms, developed into a near-insurrection in the town of Hama. The town was encircled by Syrian troops and security forces and subsequently bombarded from the air and from the ground. A news blackout was imposed by the authorities. In early

March, after the fighting had ended, reports of massacres and atrocities began to reach the outside world. Most reports indicated that at the start of the fighting government officials and their families in Hama were systematically sought out and killed by the rebels. Later, however, large numbers of unarmed inhabitants were killed by government troops as they regained control of the town and by aerial bombardment. Unofficial estimates put the number dead at over 10,000 but Amnesty International was not able to investigate the circumstances or scale of these killings. In previous years Amnesty International had received reports of massacres by Syrian security forces and it has repeatedly requested the authorities to set up commissions of inquiry to investigate the facts and make public their findings. No response was received from the Syrian authorities.



Tunisia

Amnesty International was concerned about the continuing imprisonment of 46 prisoners of conscience, some serving sentences of 10 years' imprisonment. Torture of political detainees remained a major concern, as well as the lack of basic legal safeguards to protect detainees from such treatment.

Amnesty International continued to work for the release of 46 alleged members of the *Mouvement de la tendance islamique* (MTI), Islamic Tendency Movement, sentenced to imprisonment in September 1981 on charges including membership of an unauthorized organization, defamation of the head of state, and disseminating false information (see *Amnesty International Report 1982*). Additional trials of MTI members took place during early 1982 resulting in sentences ranging from six months to four years' imprisonment. Among those sentenced in September 1981 was Habib Ben Rihane who had been a teacher at secondary schools in Ain Draham and Bizerte. Aged 35, married with three young children, he was sentenced to 10 years' imprisonment on charges of participation in an unauthorized organization, and defamation of the head of state. Neither he nor the other defendants were charged with any violent act. Like several other prisoners of conscience he was reported to have suffered ill-health in Bourj Er-Roumi Prison (Nadhour Prison II) as a result of poor conditions. In June 1982 he was hospitalized for several days because of food poisoning. He complained, as did many prisoners of conscience, of eye troubles and

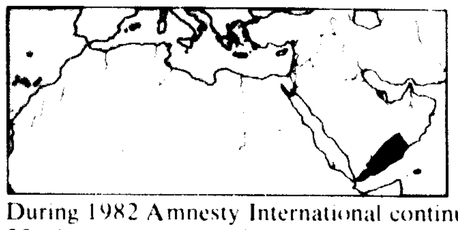
rheumatism, aggravated by the cold and damp prison conditions during winter. Respiratory and digestive ailments were also frequently reported.

Another prisoner of conscience, Rached El Ghannouchi, the leader of the MTI, was held in solitary confinement at Bourj Er-Roumi Prison for approximately six months from 19 January 1982. Amnesty International wrote to the authorities in May 1982 expressing concern at reports that he was suffering from depression and mental strain as a result of the prolonged isolation and urging that he be granted immediate access to a competent medical officer. Amnesty International also sought assurances that he would not be held in conditions detrimental to his psychological health.

In April the Administrative Court ruled that the October 1978 trial of trade union leaders arrested in connection with the strike of 26 January 1978 was void. It ruled that the composition of the State Security Court which heard the case was contrary to Law 68 - 17 of 2 July 1968, which established the court. This was reported to be the first time that a judgment in a political trial had been declared void. All the trade union leaders had, in the meantime, been released through presidential amnesties. (See *Amnesty International Report 1980* and *1981*.)

Appeals were sent to President Habib Bourguiba on the occasion of his 79th birthday on 3 August 1982, urging a presidential amnesty for all prisoners of conscience. To Amnesty International's knowledge no measures of clemency were declared on that date affecting prisoners of conscience.

In November the authorities announced the arrest in Tunis of a group of people alleged to be members of a "terrorist organization". Amnesty International was concerned about reports that members of this group were tortured, held in small, separate underground cells, kept in incommunicado detention for between 40 and 45 days, during which time they were tortured, and that medical treatment had been refused. Amnesty International appealed to the authorities for all those detained to be granted immediate medical treatment as required, including hospitalization if necessary, and sought further information on these cases. It also requested assurances that they had been granted access to lawyers of their own choosing and to members of their families. Amnesty International called on the authorities to initiate an independent impartial investigation into all allegations of torture and ill-treatment, and to introduce administrative and legal safeguards against torture of detainees.



Yemen (People's Democratic Republic of)

During 1982 Amnesty International continued to work on behalf of 25 adopted prisoners of conscience and investigated the cases of nine possible prisoners of conscience. Most of them were detained during the 10 years following independence in 1967. Little official information was made available on these cases or on other prisoners and, as in previous years, no responses of substance were received from the authorities to the numerous inquiries by Amnesty International.

Among the adopted prisoners of conscience were eight associates of the former federal government which was in power under British colonial rule until independence in 1967. Two of them – Nasir bin Aidrus al-Kazimi Aulaqi and Muhammad Abdulilah al-Jifri – were arrested in November 1967 and sentenced in February 1968 to 10 and 15 years' imprisonment respectively. Although they had served their sentences there was no official confirmation of their release and Amnesty International believed they were still in detention. The remaining six of this group have been detained since 1967 without charge or trial, four of them at al-Mansurah prison, Aden.

In April 1982 the organization learned through unofficial sources of the release of two adopted prisoners of conscience: Yahya Abdul Qawi Muflahi, arrested in October 1971 and detained at al-Mansurah prison, and Abdul Malik Ismail Muhammad, former Ambassador to Egypt, arrested at Aden airport in May 1975.

Amnesty International continued to work on behalf of 15 political prisoners detained between 1970 and 1975 and held since then without trial. The whereabouts of seven were unknown and there were fears that they might be dead. Information received by Amnesty International indicated that between 1967 and 1975 hundreds of people had "disappeared" in the PDRY. Some "disappeared" from prisons where they had been receiving regular visits from their families, others were taken into custody, often violently, from their place of work, from their homes or from the streets. Despite persistent inquiries the families of the "disappeared" were unable to find out whether they were dead or detained in a particular prison. The authorities rarely responded to inquiries; when they did they stated that these people had "left the country" or had been shot as "intruders" while crossing the border into Saudi Arabia or the Yemen Arab Republic.

Tawfiq 'Az'azi, a chief magistrate at the Supreme Court of Aden, was last seen by friends at the Rex Bar at Tawahi, Aden, on the night of 31 March 1972. He later "disappeared" from his apartment where he lived alone. Amnesty International believes that he was abducted because he had refused to convict a number of political detainees on the grounds that they had committed no offence under the penal code, and had ordered their release.

On 7 April 1982, 12 Yemenis were sentenced to death by the High Court of Aden for planning to sabotage economic installations and illegally bringing explosives into the PDRY. A 13th man was jailed for 15 years. Earlier, on 4 April, Amnesty International had cabled President 'Ali Nasir Muhammad expressing concern at the prosecution's demand for the death penalty, reiterating its opposition to the death penalty in all cases and urging commutation of such sentences on humanitarian grounds. The sentences on two of the 12 were commuted to 15 years' imprisonment by the President, but the remaining 10 were executed on 22 April 1982.

MISSIONS: JANUARY – DECEMBER 1982

Date	*Country*	*Delegate(s)*	*Purpose*
January	Uganda	Dick Oosting (Netherlands) Michael Posner (USA)	To discuss Amnesty International's concerns with government authorities.
January	Gambia	Kevin Boyle (UK)	To observe trials of individuals arrested in the wake of the July 1981 rebellion.
January	Turkey	Staff member of International Secretariat	To observe trial of 52 leaders of the trade union DISK.
February	Egypt	Staff member of International Secretariat	To do research.
February	Guyana	Margaret de Merieux (Jamaica)	To observe trial of Donald Rodney charged with unlawful possession of explosives.
February	Sri Lanka	Orville Schell (USA) Staff member of International Secretariat	To do research and discuss Amnesty International's concerns.
March	Bahrain	James Morton (UK) Staff member of International Secretariat	To observe trial of 73 people accused of planning to overthrow the government, and to do research.
April	Chile	Dr Ole Rasmussen (Denmark) Mariana Wallach (Denmark) Staff member of International Secretariat	To do research, including interviews and medical examinations of alleged torture victims.

Date	*Country*	*Delegate(s)*	*Purpose*
April	United Kingdom	Stephen Neff (USA)	To observe trial of 12 Asian youths charged with possessing explosives.
April	Spain	Two staff members of International Secretariat	To investigate allegations of torture.
May	Peru	Hans Rau (FRG) Staff member of International Secretariat	To do research and discuss Amnesty International's concerns with government authorities.
June	Brazil	Staff member of International Secretariat	To observe trial of Father François Gouriou and Father Aristides Camio and 13 peasant squatters (*posseiros*).
June	Italy	Dr Kurt Meier (Switzerland)	To observe trial of "7 April" defendants.
July	Republic of Ireland	Stephen Foster (Canada)	To observe hearing of appeal of Eamonn Kelly, member of Irish Republican Socialist Party convicted of participation in armed robbery.
July	Malaysia	Staff member of International Secretariat	To discuss Amnesty International's concerns with government authorities.
July	Haiti	Maitre Thierry Mignon (France)	To observe the retrial of 22 political prisoners, including 21 prisoners of conscience.
July	Turkey	Professor Otto Triffterer (Austria)	To observe trial of 26 members of the Turkish Peace Association.
July August	Gambia	Kevin Boyle (UK)	To discuss Amnesty International's concerns with government authorities.

Date	*Country*	*Delegate(s)*	*Purpose*
October	Grenada	Clayton Ruby (Canada)	To observe trial of Kenneth Budhlall and others charged with murder of three girls as a result of a bomb explosion.
October	USA	David Matas (Canada)	To observe trial of Eddie Carthan.
October	South Africa	Brian Wrobel (UK)	To observe inquest into death of Dr Neil Aggett, who died in security police custody.
October November	Namibia	Staff member of International Secretariat	To do research.
November	Gabon	Bacre Waly N'Diaye (Senegal)	To observe trial of 22 people arrested between November 1981 and March 1982, all considered to be prisoners of conscience.
November	Israel & Occupied Territories	Staff member of International Secretariat	To do research.
November	Italy	Dr Marco Mona (Switzerland)	To observe trial of "7 April" defendants.
November	Guyana/Trinidad	Staff member of International Secretariat	To observe trial of Ivan Sookram, charged with treason.
November	United Kingdom	Stephen Neff (USA) Staff member of International Secretariat	To observe trial in Cardiff, Wales of persons charged in connection with explosion.
November December	Brazil	Peter Klein (FRG)	To observe hearing of appeal to the Superior Military Tribunal of Father François Gouriou and Father Aristides Camio and 13 peasant squatters (*posseiros*)

Appendices

APPENDIX I

Statute of Amnesty International
Articles 1 and 2

As amended by the 15th International Council, meeting in Rimini, Italy, 9-12 September 1982

OBJECT

1. CONSIDERING that every person has the right freely to hold and to express his or her convictions and the obligation to extend a like freedom to others, the object of AMNESTY INTERNATIONAL shall be to secure throughout the world the observance of the provisions of the Universal Declaration of Human Rights, by:

   a) irrespective of political considerations working towards the release of and providing assistance to persons who in violation of the aforesaid provisions are imprisoned, detained or otherwise physically restricted by reason of their political, religious or other conscientiously held beliefs or by reason of their ethnic origin, sex, colour or language, provided 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 internationally recognized norms;

   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.

METHODS

2. In order to achieve the aforesaid object, AMNESTY INTERNATIONAL shall:

   a) at all times maintain an overall balance between its activities in relation to countries adhering to the different world political ideologies and groupings;

   b) promote as appears appropriate the adoption of constitutions, conventions, treaties and other measures which guarantee the rights contained in the provisions referred to in Article 1 hereof;

c) support and publicize the activities of and cooperate with international organizations and agencies which work for the implementation of the aforesaid provisions;

d) take all necessary steps to establish an effective organization of sections, affiliated groups and individual members;

e) secure the adoption by groups of members or supporters of individual Prisoners of Conscience or entrust to such groups other tasks in support of the object set out in Article 1;

f) provide financial and other relief to Prisoners of Conscience and their dependants and to persons who have lately been Prisoners of Conscience or who might reasonably be expected to be Prisoners of Conscience or to become Prisoners of Conscience if convicted or if they were to return to their own countries, and to the dependants of such persons;

g) work for the improvement of conditions for Prisoners of Conscience and political prisoners;

h) provide legal aid, where necessary and possible, to Prisoners of Conscience and to persons who might reasonably be expected to be Prisoners of Conscience or to become Prisoners of Conscience if convicted or if they were to return to their own countries, and, where desirable, send observers to attend the trials of such persons;

i) publicize the cases of Prisoners of Conscience or persons who have otherwise been subjected to disabilities in violation of the aforesaid provisions;

j) send investigators, where appropriate, to investigate allegations that the rights of individuals under the aforesaid provisions have been violated or threatened;

k) make representations to international organizations and to governments whenever it appears that an individual is a Prisoner of Conscience or has otherwise been subjected to disabilities in violation of the aforesaid provisions;

l) promote and support the granting of general amnesties of which the beneficiaries will include Prisoners of Conscience;

m) adopt any other appropriate methods for the securing of its object

The full text of the Statute of Amnesty International is available, free upon request, from: Amnesty International, International Secretariat, 1 Easton Street, London WC1X 8DJ, United Kingdom.

APPENDIX II

Amnesty International News Releases 1982

8 January	AI urges both sides to stop executions in ***Afghanistan***
13 January	Human rights abuses worsen in ***Pakistan***, AI reports
22 January	AI appeals to ***Turkish*** authorities over reported torture and deaths of political prisoners
10 February	AI reports increase in number of ***Yugoslavs*** imprisoned for opinions
17 February	AI in worldwide effort to convince ***USA*** to drop death penalty
24 February	AI amasses reports of torture in ***Iran***, says over 4,000 executed since revolution
9 March	AI reports mass killings and atrocities by government forces in ***El Salvador***
15 April	AI appeals for end to killing and torture by ***Ugandan*** army
19 May	***Moroccan*** prisoners held incommunicado and tortured says AI
23 June	AI report urges ***Nicaraguan*** Government to review post-revolutionary trials
2 July	AI appeals to ***Israeli*** Government on treatment of prisoners taken in ***Lebanon***
18 August	AI asks to visit ***Turkish*** military prison
12 September	AI's Council plans increased pressure to aid ***prisoners of conscience***
22 September	AI says ***Philippines*** forces responsible for illegal arrests, torture and killings
6 October	AI calls on ***Guinean*** Government to account for 78 political prisoners believed killed in jail
12 October	AI reports massacres in new ***Guatemalan*** security drive
27 October	AI, issuing ***annual report***, urges world action to stop government-ordered killings
1 December	AI appeals for protection of basic rights in ***Namibia***
10 December	Nobel laureates back worldwide Amnesty appeal for *prisoners of conscience*

APPENDIX III

Amnesty International around the world

Sections

Australia: Amnesty International, Australian Section, PO Box No. A159, Sydney South, New South Wales 2000
Austria: Amnesty International, Austrian Section, Esslinggasse 15/14, A 1010 Wien
Bangladesh: c/o International Secretariat, 1 Easton Street, London WC1X 8DJ, United Kingdom
Barbados: Amnesty International, Barbados Section, PO Box 65B, Brittons Hill, Bridgetown
Belgium: Amnesty International, Belgian Section *(Flemish)*, Ruelensvest 127, 3030 Leuven
Amnesty International, Belgian Section *(francophone)*, 126 avenue Louise, 1050 Brussels
Canada: Amnesty International, Canadian Section (*English-speaking*), 294 Albert Street, Suite 204, Ottawa, Ontario K1P 6E6
Amnistie Internationale, Section canadienne (*francophone*), 1800 Ouest, Boulevard Dorchester, local 400, Montreal, Quebec H3H 2H2
Chile: Chilean Section, Huerfanos 786, Of. 924 Santiago
Denmark: Amnesty International, Danish Section, Frederiksborggade 1, 1360 Copenhagen
Ecuador: Señores, Casilla de Correo 8994, Guayaquil
Faroe Islands: Amnesty International, Faroe Islands, c/o Anette Wang, PO Box 1075, Trondargøta 47, 3800 Torshavn
Finland: Amnesty International, Finnish Section, Munkkisaarenkatu 12 A 51, 00150 Helsinki 15
France: Amnesty International, Section française, 18 rue Theodore Deck, 75015 Paris
Germany, Federal Republic of: Amnesty International, Section of the FRG, Heerstrasse 178, 5300 Bonn 1
Ghana: Amnesty International, Ghanaian Section, PO Box 9852, Kotoka Airport, Accra
Greece: Amnesty International, Greek Section, 20 Mavromichali Street, Athens 140
Iceland: Amnesty International, Icelandic Section, Hafnarstraeti 15, PO Box 7124, 127 Reykjavik
India: Amnesty International, Indian Section, c/o A. Chishti, 14 Suvidha Bazar, Sarojini Nagar, New Delhi 110 023
Ireland: Amnesty International, Irish Section, Liberty Hall, 8th Floor, Dublin 1
Israel: Amnesty International, Israeli Section, PO Box 37638, 61 375 Tel Aviv

Italy: Amnesty International, Italian Section, viale Mazzini 146, 00195 Rome
Ivory Coast: Amnesty International, Section ivoirienne, 04 BP 895, Abidjan 04
Japan: Amnesty International, Japanese Section, Daisan Sanbu Building 3F, 2-3-22, Nishi Waseda, Shinjuku ku, Tokyo 160
Korea, Republic of: Amnesty International, Korean Section, 25-1 Changsong Dong, Chongno ku, Seoul
Luxembourg: Amnesty International Luxembourg, Boite Postale 1914, 1019 Luxembourg
Mexico: Señores, Apartado Postal No. 20-217, San Angel del Alvaro Obregon, 01000 Mexico DF
Nepal: Amnesty International, Nepal Section, Post Box 918, Ram Shah Path, Kathmandu
Netherlands: Amnesty International, Dutch Section, Postbus 61501, 1005 HM Amsterdam
New Zealand: Amnesty International, New Zealand Section, PO Box 11648, Wellington 1
Nigeria: Amnesty International, Nigerian Section, 7 Onayade Street, Fadeyi-Yaba, Lagos
Norway: Amnesty International, Norwegian Section, Niels Juelsgt. 39, Oslo 2
Pakistan: c/o International Secretariat, 1 Easton Street, London WC1X 8DJ, United Kingdom
Peru: Sènores, Casilla 11080, Lima 14
Portugal: Seccão Portuguesa AI, Rua Marques de Fronteira 82, 5 -E . 1000 Lisboa
Senegal: Amnesty International, Section senegalaise, Boite Postale 3813, Dakar
Spain: Amnesty International, Spanish Section, Paseo de Recoletos 18, Piso 6, Madrid 1
Sri Lanka: Amnesty International, Sri Lanka Section, c/o E.A.G. de Silva, 79/15 Dr C.W.W. Kannangara Mawatha, Colombo 7
Sweden: Amnesty International, Swedish Section, Surbrunnsgatan 44, S-113 48 Stockholm
Switzerland: Amnesty International, Swiss Section, PO Box 1051, CH-3001 Bern
Turkey: c/o International Secretariat, 1 Easton Street, London WC1X 8DJ, United Kingdom
United Kingdom: Amnesty International, British Section, PO Box 300, London WC2
USA: Amnesty International of the USA, 304 West 58th Street, New York, NY 10019
Venezuela: Señores, Apartado 5110, Caracas 1010

Groups

Netherlands Antilles
Belize
Brazil
Colombia
Costa Rica
Gabon
Guyana
Hong Kong
Mauritius
Papua New Guinea
Puerto Rico
Tanzania
Trinidad and Tobago
USSR

Individual Subscribers or Supporters

Abu Dhabi
Afghanistan
Algeria
Andorra
Antigua
Argentina
Bahamas
Bahrain
Belize
Bermuda
Bhutan
Bolivia
Botswana
Brunei
Bulgaria
Burma
Burundi
Cameroon
Cape Verde
Cayman Islands
Central African Republic
Chad
China (People's Republic of)
Congo
Cuba
Cyprus
Czechoslovakia
Djibouti
Dominica
Dominican Republic
Egypt
El Salvador
Ethiopia
Fiji
The Gambia
German Democratic Republic
Gibraltar
Grenada
Guatemala
Guinea Bissau
Haiti
Honduras
Hungary
Indonesia
Iran
Iraq
Jamaica
Jordan
Kampuchea
Kenya
Korea (Democratic People's Republic of)
Kuwait
Laos
Lebanon
Lesotho
Liberia
Libya
Madagascar
Malawi
Malaysia
Maldives
Mali
Malta
Mauritania
Monaco
Morocco
Mozambique
Namibia
New Caledonia
Nicaragua
Niger

Oman
Panama
Paraguay
Philippines
Poland
Qatar
Romania
Rwanda
Saint Kitts
Saint Lucia
Saudi Arabia
Seychelles
Sierra Leone
Singapore
Solomon Islands
South Africa
Sudan
Suriname
Swaziland
Syria
Taiwan
Tanzania
Thailand
Togo
Tunisia
Uganda
United Arab Emirates
Upper Volta
Uruguay
Vanuatu
Viet Nam
Yemen (People's Democratic Republic of)
Yugoslavia
Zaire
Zambia
Zimbabwe

APPENDIX IV

International Executive Committee

Dirk Börner (Treasurer) — Federal Republic of Germany
Jan Egeland (Vice-Chairperson) — Norway
Whitney Ellsworth — United States of America
Wolfgang Heinz — Federal Republic of Germany
Jan Willem den Herder — Netherlands
Menno Kamminga — International Secretariat
Edy Kaufman — Israel
Franca Sciuto — Italy
Suriya Wickremasinghe (Chairperson) — Sri Lanka

APPENDIX V

Principles of Medical Ethics

Resolution 37/194 adopted by the United Nations General Assembly

Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Recalling its resolution 31/85 of 13 December 1976, in which it invited the World Health Organization to prepare a draft code of medical ethics relevant to the protection of persons subjected to any form of detention or imprisonment against torture and other cruel, inhuman or degrading treatment or punishment,

Expressing once again its appreciation to the Executive Board of the World Health Organization which, at its sixty-third session, in January 1979, decided to endorse the principles set forth in a report entitled "Development of codes of medical ethics" containing, in an annex, a draft body of principles prepared by the Council for International Organizations of Medical Sciences and entitled "Principles of medical ethics relevant to the role of health personnel in the protection of persons against torture and other cruel, inhuman or degrading treatment or punishment",

Bearing in mind Economic and Social Council resolution 1981/27 of 6 May 1981, in which the Council recommended that the General Assembly should take measures to finalize the draft Principles of Medical Ethics at its thirty-sixth session,

Recalling its resolution 36/61 of 25 November 1981, in which it decided to consider the draft Principles of Medical Ethics at its thirty-seventh session with a view to adopting them,

Alarmed that not infrequently members of the medical profession or other health personnel are engaged in activities which are difficult to reconcile with medical ethics,

Recognizing that throughout the world significant medical activities are being performed increasingly by health personnel not licensed or trained as physicians, such as physician-assistants, paramedics, physical therapists and nurse practitioners,

Recalling with appreciation the Declaration of Tokyo of the World Medical Association, containing the Guidelines for Medical Doctors concerning Torture and other Cruel, Inhuman or Degrading Treatment or Punishment in relation to Detention and Imprisonment, adopted by the twenty-ninth World Medical Assembly, held at Tokyo in October 1975,

Noting that in accordance with the Declaration of Tokyo measures should be taken by States and by professional associations and other bodies, as appropriate, against any attempt to subject health personnel or members of their families to threats or reprisals resulting from a refusal by such personnel to condone the use of torture or other forms of cruel, inhuman or degrading treatment,

Reaffirming the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, unanimously adopted by the General Assembly in its resolution 3452 (XXX) of 9 December 1975, in which it declared any act of torture or other cruel, inhuman or degrading treatment or punishment an offence to human dignity, a denial of the purposes of the Charter of the United Nations and a violation of the Universal Declaration of Human Rights,[1]

Recalling that, in accordance with article 7 of the Declaration adopted in resolution 3452 (XXX), each State shall ensure that the commission of all acts of torture, as defined in article 1 of that Declaration, or participation in, complicity in, incitement to or attempt to commit torture are offences under its criminal law,

Convinced that under no circumstances should a person be punished for carrying out medical activities compatible with medical ethics regardless of the person benefiting therefrom, or be compelled to perform acts or to carry out work in contravention of medical ethics, but that, at the same time, contravention of medical ethics for which health personnel, particularly physicians, can be held responsible should entail accountability,

Desirous of setting further standards in this field which ought to be implemented by health personnel, particularly physicians, and by Government officials,

1. *Adopts* the Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment set forth in the annex to the present resolution;

2. *Calls upon* all Governments to give the Principles of Medical Ethics, together with the present resolution, the widest possible distribution, in particular among medical and paramedical associations and institutions of detention or imprisonment in an official language of the State;

3. *Invites* all relevant inter-governmental organizations, in particular the World Health Organization, and non-governmental organizations concerned to bring the Principles of Medical Ethics to the attention of the widest possible group of individuals, especially those active in the medical and paramedical field.

Annex

Principle 1

Health personnel, particularly physicians, charged with the medical care of prisoners and detainees have a duty to provide them with protection of their

physical and mental health and treatment of disease of the same quality and standard as is afforded to those who are not imprisoned or detained.

Principle 2

It is a gross contravention of medical ethics, as well as an offence under applicable international instruments, for health personnel, particularly physicians, to engage, actively or passively, in acts which constitute participation in, complicity in, incitement to or attempts to commit torture or other cruel, inhuman or degrading treatment or punishment.[2]

Principle 3

It is a contravention of medical ethics for health personnel, particularly physicians, to be involved in any professional relationship with prisoners or detainees the purpose of which is not solely to evaluate, protect or improve their physical and mental health.

Principle 4

It is a contravention of medical ethics for health personnel, particularly physicians:

(a) To apply their knowledge and skills in order to assist in the interrogation of prisoners and detainees in a manner that may adversely affect the physical or mental health or condition of such prisoners or detainees and which is not in accordance with the relevant international instruments;[3]

(b) To certify, or to participate in the certification of, the fitness of prisoners or detainees for any form of treatment or punishment that may adversely affect their physical or mental health and which is not in accordance with the relevant international instruments, or to participate in any way in the infliction of any such treatment or punishment which is not in accordance with the relevant international instruments.

Principle 5

It is a contravention of medical ethics for health personnel, particularly physicians, to participate in any procedure for restraining a prisoner or detainee unless such a procedure is determined in accordance with purely medical criteria as being necessary for the protection of the physical or mental health or the safety of the prisoner or detainee himself, of his fellow prisoners or detainees, or of his guardians, and presents no hazard to his physical or mental health.

Principle 6

There may be no derogation from the foregoing principles on any ground whatsoever, including public emergency.

1. Resolution 217 A (III).

2. See the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (General Assembly resolution 3452 (XXX), annex), article 1 of which states:

"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 7 of the Declaration states:

"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."

3. Particularly the Universal Declaration of Human Rights (General Assembly resolution 217 A (III)), the International Covenant on Human Rights (General Assembly resolution 2200 A (XXI), annex), the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (General Assembly resolution 3452 (XXX), annex) and the Standard Minimum Rules for the Treatment of Prisoners (*First United Nations Congress on the Prevention of Crime and the Treatment of Offenders: report by the Secretariat*, United Nations publication, Sales No. 1956.IV.4, annex I.A).

APPENDIX VI

Final Statement of the International Conference on Extrajudicial Executions

Amsterdam, 2 May 1982

The International Conference on Extrajudicial Executions, convened in the Netherlands by Amnesty International from 30 April to 2 May 1982,

- **BELIEVING DEEPLY** that the arbitrary deprivation of human life is utterly indefensible in any circumstances and that governments have primary responsibility for ensuring the observance of this principle,
- **ANGERED** that governments engage in arbitrary killings of persons because of their political beliefs or activities, religion or ethnic origin,
- **DEMANDS** that governments stop these practices,
- **DECLARES** that the international community should regard extrajudicial executions as a matter of the gravest and most urgent concern and should make every effort to bring to an end this denial of the right to life.

Hundreds of thousands of people in the past 10 years have been victims of extrajudicial executions – unlawful and deliberate killings carried out by order of a government or with its complicity.

These killings continue day after day outside any judicial process and in denial of the protection of law.

These killings are carried out both by regular military and police forces and by special units created to function without normal supervision, by death squads operating with government complicity, and assassins acting against victims in other countries.

A pattern of extrajudicial executions is often accompanied by the suspension of constitutional rights, a weakening of the independence of the judiciary, intimidation of witnesses, suppression of evidence and failure to act upon the results of independent investigations.

Governments often seek to cover up extrajudicial executions. They deny that killings have taken place, they attribute them to opposition forces, or they try to pass them off as the result of armed encounters with government forces or of attempts by the victims to escape.

Many of the victims are subjected to "disappearance", illegal detention or torture before being killed.

The scope of killings ranges from assassinations to the wholesale liquidation of political opposition. The scale of the crime is sometimes not known to the international community before it has reached proportions that will damage a whole society for generations to come.

The principle of protection against arbitrary deprivation of life constitutes a value of paramount importance. This principle cannot be abandoned under any circumstances, however grave.

Extrajudicial executions are crimes for which governments and their agents are responsible under national and international law. Their accountability is not diminished by the commission of similar abhorrent acts by opposition groups or others, or by considerations of national security.

It is the duty of governments not to commit or condone extrajudicial executions, and to take all legislative, executive and judicial measures necessary to ensure that those directly or indirectly responsible for such acts are brought to justice, and that the families of victims are compensated for their moral and material sufferings. Alleged perpetrators should be submitted to universal jurisdiction – trial or extradition wherever they may be.

RECOMMENDATIONS

Extrajudicial executions can only be prevented through firmly rooted institutions in all countries capable of dealing with abuse of human rights of every kind. The conference recommendations in the following summary all have this aim.

● Individuals should raise their voices to make governments stop these killings and to show support for those left behind. Human rights organizations should provide them the opportunity by disseminating relevant information as promptly and objectively as possible. Joint programs of action should be initiated exposing the involvement of governments in the killings and their responsibility to bring the practice to an immediate end. Particular attention should be given to preventive measures designed to protect individuals who are in immediate danger.

● Educational institutions should be encouraged to place greater stress on the principle that extrajudicial executions are not justifiable under any circumstances.

● Minimum standards should be developed to establish that a government has investigated reports of extrajudicial executions in good faith.

● Military and police forces should ensure that their members are trained to uphold standards forbidding extrajudicial executions.

● Governments should take steps to ensure that extrajudicial executions are not fostered through military, security or police transfers and international training.

● Governments should permit independent investigation on their territories, press for such investigations elsewhere, and use their diplomatic channels for fact-finding and pressure.

● Intergovernmental bodies should use existing mechanisms for investigation, reporting, and good offices and other forms of speedy intervention.

The final statement of the International Conference on Extrajudicial Executions was endorsed by Amnesty International in June 1982 as a statement of concern and a platform for action by individuals, organizations and governments.

APPENDIX VII

Selected Statistics

By the beginning of 1983 there were over 3,000 Amnesty International groups in 51 countries – at least 300 more groups than the year before. There were over 500,000 members, subscribers and supporters in over 160 countries and territories. Amnesty International has sections in 42 countries.

A total of 5,557 prisoners were adopted as prisoners of conscience or were being investigated as possible prisoners of conscience. During 1982, 1,743 new cases were taken up, and 1,022 prisoners released.

Amnesty International issued 302 urgent action appeals on behalf of individuals or groups of prisoners in 61 countries. Of these, 99 were prompted by reports of torture, 40 were on medical grounds, 60 were issued because of legal concerns, 50 related to extrajudicial executions or "disappearances", and 38 were on behalf of people under sentence of death.

"Publishing facts about human rights violations is often denounced as provocative and political. If it is provocative, it is not because it seeks to offend but because it exposes abuses and contradicts official versions of events. If it is political, it is not because it is partisan but because it addresses and makes demands of those in power."

Opening with these words, this report provides a public account of the 1982 activities of Amnesty International -- a worldwide voluntary movement working for the release of all prisoners of conscience, fair and prompt trials for political prisoners and an end to torture and executions. In describing the work of Amnesty International the report identifies human rights abuses in more than 115 countries. Many are being committed by governments whose own officials pay lip-service to human rights in international arenas such as the United Nations.

Amnesty International rejects hypocrisy about human rights. It believes that universal standards should be applied everywhere, regardless of politics or nationality. This principle is reflected throughout this report which is based on Amnesty International's research into human rights violations and approaches to governments across the political spectrum. It also presents its efforts to mobilize public concern around the world, expose abuses and bring practical help to the victims