

ACT 31

PRISONER OF CONSCIENCE

WEEK

1972

12 - 19 NOVEMBER 1972

Amnesty International  
Turnagain Lane  
Farringdon Street  
LONDON E C 4  
England

A M N E S T Y   I N T E R N A T I O N A L

PRISONER OF CONSCIENCE WEEK

12 - 19 November 1972

\* \* \* \* \*

We are sending you the cases of twelve prisoners for use in publicity during Prisoner of Conscience Week (12 - 19 November 1972). Unlike previous years, no special theme has this time been chosen. The cases have been selected to illustrate the scope of Amnesty's work for individual prisoners in countries with radically differing ideologies and policies; all, nonetheless, share one characteristic - the use of political imprisonment as an aid to government.

All the prisoners in this dossier are restricted or imprisoned in contravention of Articles 9, 18 or 19 of the United Nations Declaration of Human Rights. None is known to have used or advocated violence as a means of attaining their aims. Some are serving sentences, while others are detained indefinitely without trial. All are prisoners of conscience and, as such, adopted by Amnesty groups.

You will find two cases from Latin America, one from Paraguay, a small, personal dictatorship, and the other from Cuba, a newly-established socialist state; in Africa, the imprisonment of a political leader in Tanzania, an independent African state, is set beside the restriction of two men, both opponents of apartheid, one African and one European, in Namibia and South Africa; the two Asian prisoners, both writers, are detained in Taiwan and Indonesia, countries with little in common except their governments' rigid adherence to anti-communism as a political policy. In the Soviet Union, where the right of dissent has traditionally been denied, the prisoner represents the civil rights movement, while the Turkish case focusses attention on recent arrests in a country which has hitherto been free from large-scale political imprisonment. Within Europe, the Czech case illustrates the divisions within the Communist Party, while the Spanish prisoner, a Jehovah's Witness, raises the issue of conscientious objection in a classic form. Finally, the case of the Hungarian priest illustrates the friction between the State and the lower levels of the Church hierarchy.

The prisoners represent different occupations and professions. If intellectuals seem over-represented, this is because they tend to be the best-documented cases on Amnesty's files, and so suitable for publicity. But Amnesty's work is accurately reflected in the small proportion of these prisoners who were involved in direct political activities at the time of their arrest; for the majority, official displeasure is the result of their refusal to adapt their writing, religious beliefs, or teaching, to the political requirements of their governments. All twelve prisoners share one common feature: they regard their personal beliefs as more important than their freedom.

As background information, we would suggest that you use the current Annual Report to describe Amnesty's own activities on the different countries; the Survey of Political Imprisonment outlines the general situation in five countries - Spain, USSR, Taiwan, Indonesia, and Paraguay.

We hope to have photographs available for all prisoners except Ali Muhsin Barwani (Tanzania) and Andreas Cao Mendiguren (Cuba); the cost is 50 new pence each. We have a photograph of Pramodya Ananta Tur's family, as well as that of the prisoner himself (Indonesia).

Father Cosmas DESMOND

SOUTH AFRICA

Father Cosmas Desmond aged 35, is a Franciscan priest. He was born in England where his parents now live. He was house arrested on June 28, 1971, and is adopted by Aylesford group.

The banning order confining him to his house was issued by the Minister of Justice in terms of the Suppression of Communism Act 1950, served on him by the Security Police. The banning order is operative until 1976, it can then be renewed.

The purpose of such an order is not necessarily to suppress communism: it is to silence an outspoken opponent of government policy, to prevent his communicating his ideas to others either verbally or in writing, thereby influencing them too to become opponents of 'apartheid'.

The order confines Father Desmond to his house, in Johannesburg, between the hours of 18.00 hrs and 07.00 hrs during week days, and all day Saturday and Sunday and public holidays, including Christmas. He may receive no visitors to his house except his medical practitioner when necessary. He may attend no gatherings whatsoever, 'gathering' being interpreted to mean more than two people (including Father Desmond). He may not enter any place where publications are compiled etc., any educational institution, any factory, any court of law (unless summonsed), any area designated for the residence of Blacks; he may not leave the Magisterial District of Johannesburg without permission from the Minister. He may not give educational instruction to any person, may not write, nor may anyone publish anything he says, or has ever written. He may not communicate in any way with any other person on whom a banning order has been served.

Father Desmond's work was largely among Blacks, for whom he has a love and compassion; he is now cut off from all association with them. Some of his close associates are also banned and contact with them is now severed. As with other prisoners "time is always long". He is studying philosophy, but finds it difficult to concentrate.

Police surveillance is effective: his phone is tapped and his mail is opened. The penalty for breaking any of the terms of his order is heavy: imprisonment without the option of a fine.

The Chief Magistrate of Johannesburg refused to grant him permission to attend or offer Mass in any church or chapel. But Father Desmond is not prepared to comply when it is a matter of conscience. On July 2 of this year a service was held to commemorate the work done by a lay preacher, himself banned the previous month. Three hundred banned persons were notified of the service. Father Desmond was there in person, taking the Service. He now awaits the consequence of breaking his ban in this manner.

At the time of his house arrest there were protests including one from the Roman Catholic Cardinal in South Africa, but the Minister of Justice remains unmoved.

The Minister of Justice is not compelled to give the reasons which motivated his issuing the house arrest order. But it is not difficult for the public to know why. In 1969 Father Desmond visited all the "resettlement areas" into which 70,000 Africans have been herded by government decree, and in 1970 he wrote his book 'The Discarded People' describing the conditions he found there. The book is banned in South Africa, but is published by Penguin books. Granada Television has made a film of it, called "The Dumping Grounds", which can be hired by private individuals or organisations, and which aroused the wrath of the South African authorities. This book describes life for Africans in the resettlement camps where they are sent after being cleared from 'white' areas. It is a searing indictment of government policy towards Africans. According to the Archbishop of Durban, Father Desmond's 'dedication to the exposure of truth' is the reason for his ban.

Carlos RIVERA Urrutia

SPAIN

Carlos Rivera Urrutia, a tailor's assistant, was ordained as a Jehovah's Witness minister in 1966 and called up for military service, compulsory in Spain, in September 1970, at the age of 22. He declared his conscientious objection on religious grounds, and as a result was immediately arrested on charges of disobedience to military orders. Tried by court-martial in February 1971, he was sentenced to six months and one day imprisonment. On release, Carlos Rivera was again called to military service, again refused, and - at a second court-martial, received a three-year one-day sentence. These recurring, and progressively longer sentences will continue until he is past 30. It is possible, in fact, that he could be held as long as he is eligible for reserve duty: up to 38 years of age.

Sr. Rivera is only one of some 240 imprisoned Jehovah's Witnesses (and at present, two pacifist) conscientious objectors in Spain, many of whom have spent five to eleven years in a number of different prisons because their religious or ethical beliefs are opposed to military service and the bearing of arms. Spanish military law provides for no form of alternative service, and the Government has twice tried to pass legislation regulating conscientious objection through the Cortes (Parliament). Each time extreme right-wing pressure against such a measure resulted in its defeat. It was hoped that after the second draft-law was withdrawn from the Cortes (because its original form had been so altered in debate as to make it unacceptable even to the Government), General Franco himself would enact this legislation by decree. No solution, however, has been forthcoming.

While Carlos Rivera's situation is that of all conscientious objectors in Spain - and others have now been in prison several years longer than he - his parents' hardship is compounded by the fact that another of their sons is also serving recurring sentences for refusing to do military service on religious grounds. A third son (there are nine children altogether), not a conscientious objector, is about to be conscripted, leaving the family with no active source of support since the father is retired.

Pramoedya Ananta Tur

INDONESIA

Pramoedya Ananta Tur is a novelist, essayist and critic. He is regarded by many as the finest Indonesian writer of his generation. He has been a political detainee since October 1965 and is now one of 10,000 prisoners living in penal exile on Buru, one of the more remote islands of the Indonesian archipelago. He has not been charged or tried, was detained by military fiat, and is scheduled for indefinite detention. One of the harshest aspects of his detention is the fact that he has been unable to write since his arrest seven years ago.

This is Pramoedya's third period of imprisonment; each has been under a different Administration. During the 1945 Revolution, while he was active in the Indonesian nationalist movement, Pramoedya was arrested by the Dutch colonial government and imprisoned in Djakarta. While in detention he began work on his first novels. His second arrest was in 1960, when he was detained by the Sukarno Government for several months without trial. He had just published a popular history, The Chinese Question in Indonesia, which aroused official military and civilian antagonism by its defence of the Chinese community at a time when discriminatory policies were being pursued by the Government. The book was banned and Pramoedya was arrested.

In 1965, Pramoedya was again arrested, this time by the Army, under the authority of General, now President, Suharto. On September 30, a left-wing coup had been attempted in Djakarta. Arguing that this had been directed by the Communist Party - an assertion which has since been questioned - and that it was thus averting a Communist putsch, the Army assumed effective authority throughout the Republic. Despite the fact that the Communist Party was at this time a legal

contd.....

parliamentary organisation, a violent purge was instituted. Towards the end of 1965, a wave of uncontrolled killings swept Java, Bali and Sumatra in which several hundred thousand suspected communists lost their lives. By the time the PKI was officially proscribed in March 1966, 250,000 political prisoners were in detention suspected of belonging to the Communist Party or its supporting organisations. Among them was Pramoedya Ananta Tur. Since then, many have been released, but Pramoedya, with perhaps 50,000 others, remains a prisoner. During the last seven years, less than 300 have been tried; the rest are detained on the ground that they were communist or "pro-communist" in their political beliefs before October 1965, and would thus constitute a "security risk" if released. Since detainees are never informed of the reasons for their arrest, have no right of appeal, no access to legal advice or protection, and are held under military jurisdiction without redress to civilian courts, it is impossible for a prisoner to challenge his imprisonment.

No reasons have been given for Pramoedya's imprisonment apart from the general charge that he, with other detainees, is a committed marxist. As a radical and a populist, Pramoedya's natural affinity was to the political left, but it is not known that he was ever a member of the Communist Party. His detention probably springs from a combination of factors: his concern for the Chinese community in 1960 which earned him the enduring hostility of influential elements within the Army; his active membership of LEKRA, a left-wing cultural organisation proscribed in 1966 as a communist "front", and the criticism, never muted, which he levelled at corruption and other social evils through his writings.

Pramoedya was born in Blora, Java, on February 6 1925. He worked for a time as a journalist and then joined the nationalist movement when the Dutch returned to Indonesia in 1945 following the defeat of the Japanese. After his release from prison in 1950, he published his first novels, written in prison, and by 1953 - **three** years after Independence - his reputation was already such that he was invited to Holland as a member of an official cultural delegation. As a writer, Pramoedya's reputation was established on the novels and short stories written during the years immediately after independence; these drew on events during the Revolution and on his own personal involvement with the nationalist movement. He has written a total of ten novels, some critical essays and a biography of Kartini, the nineteenth century Javanese emancipationist, as well as his book on the Chinese community. In 1965 he was at work on an encyclopedia. But at the time of his arrest, the house was ransacked by anti-communist mobs, who removed and destroyed many books and documents, among them the collected material for the encyclopedia.

From 1965 till 1969 Pramoedya was held in prisons in Djakarta. In 1969, he was among the first group of detainees to be transported to Buru island. This was a new scheme designed to "resettle" those prisoners categorised as "B" on an under-populated island, far from other population centres, in an isolated part of the Republic. "B" detainees are those officially regarded as "committed marxists"; the Government, however, admits that it has no evidence on which they could be tried. They are scheduled for permanent restriction, live under close surveillance, and depend for subsistence on the food they can grow. This necessitates long and heavy working days for which the older and intellectual detainees are grossly ill-fitted.

Pramoedya's wife lives in Djakarta. They have eight children. The youngest, now 7, was a baby of two months at the time of his father's arrest. **Two** of Pramoedya's brothers are also detainees, one with him on Buru. Although monthly letters are now officially permitted, the postal service is unreliable and in the first three years that he was on Buru his wife heard from him only twice.

Late in 1971 the Indonesian Government allowed a small group of journalists to visit Buru island. They confirmed two essential facts: that this was a penal settlement to which 10,000 untried prisoners had been exiled and that many prisoners had only the most tenuous or accidental contacts with the communist movement (as an extreme example, the youngest prisoner on the island had been arrested when he was 12 years old). While there, they met Pramoedya and confirmed

that he was unable to write. Asked, as a writer, about his hopes for the future, he described his predicament in these words: "In Buru I have no future. Conditions for me here are too difficult. I want to return to Java, my home.... I used to be free in everything, thinking and talking and doing, but now I am a prisoner. I have lost my freedom, I have lost my family, I have lost my work. I am a writer. That is all. I want to write and one day I will write. That is my work and my dedication."

.....contd

Lee Ao

TAIWAN

On May 1st 1972 the Taiwan Government announced the conviction of the well-known satirical writer and editor, Lee Ao, and seven other dissidents on a variety of charges. Lee was sentenced to ten years in prison and six years' loss of civil rights; Wei T'ing-chao and Hsieh Ts'ung-min, associates of Professor P'eng Ming-min, the Taiwanese independence leader now living in the United States, were given twelve and fifteen years respectively; and sentences in the same range were given to the five others. The trial was conducted in secret by a military court, and the precise charges have not been published. (Under the terms of the martial law promulgated in 1949, when Chiang Kai-shek and his Nationalists withdrew to Taiwan in the face of a Communist victory on the Chinese mainland, civilians charged with political crimes are tried by military courts. Except in rare cases, substantial information about such trials is impossible to come by.) According to a government statement, though, we know that Lee was sentenced for handing material about 'rebels' in Taiwanese military prisons to foreigners for publication. He is also reported to have been charged with having a part in a 'Taiwanese independence conspiracy'.

Eighty-five per cent of the present population of Taiwan are native to the island - at least, they have been native to the place for several hundred years. Most of the remaining fifteen per cent have only been there since 1949 when Chiang Kai-shek came over from the mainland; but it is Chiang and the Nationalists who now dominate the government. Very many native Taiwanese at home and abroad - specially the younger ones - want Taiwan to be quite independent, free from Nationalists and Communists alike. Several international groups of Taiwanese are working peacefully and non-violently towards this end; and it was no doubt with some domestic branch of these groups that Lee Ao was being identified.

The question is, what domestic branch? There are grounds for thinking that a Taiwanese independence movement or 'conspiracy' within Taiwan itself exists only in the minds of the Nationalist authorities, and that they use it as an excuse to silence their critics. This may well have been the case with Lee Ao. Indeed, Lee Ao never seems to have been particularly interested in the idea of Taiwanese independence, though the authorities made desperate efforts to prove quite the opposite. As his friend Hsieh Ts'ung-min wrote in a letter smuggled out of prison recently, "I had to admit (under torture by the Taiwanese police) that Lee Ao, a very brilliant scholar and the most popular writer in Taiwan, was a commissioner in the Taiwanese independence movement. In fact I never knew anything about commissioners." Besides, Lee Ao, unlike his co-defendants at the trial, is not a native Taiwanese at all, but comes from mainland China. That goes a long way towards disqualifying him.

It seems much more likely that Lee Ao was being persecuted for his 'brilliant' scholarship and his 'popular' writing, as a brief look at his career will make clear.

Born in Manchuria in 1935, Lee Ao went to school in Peking and Shanghai, and later, when his family moved to Taiwan sometime after the second world war, to Law College at the National University in the capital, Taipeh. He never got round to finishing his course there, and went on to the graduate school of the Literature College. By this time, however, he had discovered that he preferred writing

contd....

literature to studying it. He was developing into a witty and flamboyant essayist, poking fun at Taiwanese men, manners and institutions; and he soon decided to quit academic life and devote himself to his pen. Throughout the early 1960s he fired off volley after volley of satire and polemic, and rapidly became famous (or infamous) throughout the country.

Early on Lee Ao had been fascinated by one of the leading lights of the Chinese cultural 'renaissance' of the 1920s and 1930s, Hu Shih. Hu Shih, a fine scholar and student of the American philosopher John Dewey, played a big role in the passionate intellectual debates that took place in China when the Imperial government, and with it much of China's classical culture, fell to pieces. Later on Hu Shih came to oppose communism; he became a sort of culture-hero of the Nationalist establishment, and ended his life living in America. Rather like Hu Shih in his youth, Lee Ao believed that China (or rather, Taiwan) needed a total transformation of its hidebound cultural values, free from the shackles of the past and more open to the liberalising influence of the west. He attacked what he saw as the pompous and corrupt traditionalism of Taiwan's ruling elite. In the end he even attacked Hu Shih himself. Thus he became a controversial advocate of reform, particularly through the publishing house and magazine that he used as his platform, 'Wen Hsing', ('Literary Star').

In the repressive atmosphere of a country under martial law and ruled by a government-in-exile, Lee Ao's telling and irreverent satire could do him little good. In December 1965, after he had published a six-page editorial calling the Nationalist Party to task for interfering unconstitutionally in strictly governmental affairs, 'Literary Star's' publishing licence was suspended for a year. The following year eleven of his books were banned, and 'Literary Star' was asked to dispense with his services. Lee Ao decided to bow out of the literary world, at least for a while, by (characteristically) opening a noodle-shop. He arranged to publish ten volumes of essays - the 'Lee Ao Departs the World of Letters' series - as a last fling, but six of them were seized at once by the Taiwan Garrison Command. Then, as a last straw, his application to open a noodle stand was turned down.

At this point he went into semi-retirement. He wanted to avoid publicity, and made a living by selling second-hand electrical appliances to American servicemen. This lasted four years - until January 1970, when P'eng Ming-min, whose house had been under constant surveillance, managed to escape from Taiwan in mysterious circumstances. The Garrison Command and police in Taipeh were extremely embarrassed by this, and to prevent anything like it happening again they began to close in on anyone they thought might follow P'eng's example. From then until his arrest fifteen months later, the police followed Lee Ao closely and restricted his movements. Many of his experiences during that period - often rather dull ones - are recorded in his 'Diary', extracts from which have since appeared outside Taiwan. After his arrest, he is said to have been held incommunicado and denied legal counsel until his trial in March this year.

So whatever the immediate pretext for his arrest, Lee Ao had clearly been irritating the Taiwan Government for a long time. He was too sharp a critic for comfort. There can be little doubt that he was imprisoned for advocating his views - his non-violent views - with galling persistence. For this reason he is a sure prisoner of conscience.

Andreas CAO Mendiguren

CUBA

Andreas Cao Mendiguren, physician and professor at the School of Medicine of the University of Havana, was arrested in Havana on November 24 1960 and accused of being a 'counter-revolutionary'. Tried on February 24 1961, by a 'Revolutionary Tribunal', he was sentenced to 20 years' imprisonment and is held today in Guanajay Prison, Guanajay (close to Havana).

Shortly after the overthrow of the corrupt and dictatorial government of Fulgencio Batista in January 1959, Fidel Castro's new administration set up Revolutionary Tribunals in order to bring to trial Cubans guilty of collaborating with the former regime; they used legislation based on a series of laws issued by Castro's rebel forces throughout 1958 as they prepared their Revolution from the Sierra Madre Mountains. These Laws of the Sierra Madre were later supplanted by legislation which defined all political crimes in two principal categories: those against the security of the State, and those against the stability and integrity of the Nation. Persons alleged to have attempted to leave Cuba illegally, for example, were accused of the second offence; while citizens who, in one way or another, expressed their criticism of Castro and his government were considered guilty of threatening the security of the State.

It appears that this was the specific charge made against Andreas Cao Mendiguren. Like many other Cubans who had at first welcomed Castro's victory and the Revolution's programmes of much-needed reforms, he could not accept the Government's subsequent commitment to communism, and in particular, he refused to teach the official ideology at Havana University or renounce his Christian beliefs. Trials by Revolutionary Tribunal gave the accused minimal opportunity to defend themselves. They took place in an atmosphere of extreme confusion and high emotion, and a considerable number of persons - including Andreas Cao - were sentenced to long terms of imprisonment on the basis of little or no evidence.

Sr. Cao's wife and three children (two sons aged 10 and 11, and a daughter aged 12) have lived since 1969 in Florida, USA, where Sra. de Cao tries to support the family working as a chambermaid. Communication with her husband is now virtually impossible, but she has learned that his physical state (he suffers from diabetes millitus and a congenital eye disease which will eventually result in total blindness) has worsened. Although both conditions require highly specialised treatment, the efforts of Sr. Cao's family, friends and colleagues to secure his release and permission for him to leave Cuba have thus far been fruitless.

#### Ali Muhsin BARWANI

#### TANZANIA

When the island of Zanzibar on the east coast of Africa became an independent state in December 1963, Ali Muhsin Barwani was one of the Ministers in the Zanzibar Nationalist Party (ZNP) government which administered the ex-colony under the constitutional monarchy of the Sultan of Zanzibar. According to its opponents, the ZNP represented the Arab-dominated elite which had ruled the largely African population of the island since the early nineteenth century. It was opposed by the Afro-Shirazi Party (ASP), a radical left-wing group claiming to speak for the majority of Zanzibar's 300,000 inhabitants. Independence was only a month old when a revolution overturned the ZNP regime and brought to power a Revolutionary Council headed by Sheikh Abeid Karume, leader of the ASP. Ali Muhsin was arrested as one of the members of the previous government.

In April 1964, a formal union was announced between Zanzibar and nearby mainland Tanganyika, which had become independent in 1961, and whose leader, President Julius Nyerere, was sympathetic to the African nationalism of the ASP. Several of the deposed Zanzibari cabinet ministers, including Ali Muhsin, were imprisoned on the mainland of the new United Republic of Tanzania. The ASP regime on Zanzibar soon began to take on a sinister character - absolute power came to be vested in the Revolutionary Council, and there were rumours of mass arrests and torture. In November 1969 several of Ali Muhsin's colleagues were returned to Zanzibar from the mainland and subsequently tried summarily - their exact fate is unknown to this day. During 1970 the situation on Zanzibar took a turn for the worse: the economy slumped, normal courts of justice were abolished, and the Revolutionary Council shocked world opinion by seizing several girls of Persian origin and forcibly marrying them to its members. In April 1972 the ASP leader Sheikh Karume, was assassinated in Zanzibar Town; his successor Mr Aboud Jumbe, promised to continue his policies.

Meanwhile Ali Muhsin has remained in prison on the Tanzanian mainland for eight

contd.....



years without charge or trial. He is held under the provisions of the Preventive Detention Act, which allows indefinite detention at the discretion of the President. Amnesty was informed in March 1969 that Ali Muhsin would be released "as soon as it is possible", but no moves in that direction have since been made. For the last few years Ali Muhsin has been held in Bukoba Prison, in northwestern Tanzania near the Uganda border. An intelligent and cultivated man, he has spent much of his time in detention reading works on religion and philosophy. He has been in touch by letter with his Norwegian adoption group since 1969, and the books and other gifts they have sent him have been a great comfort. At times he has been optimistic about his predicament; in January 1970 he wrote:

I do not know whether I shall ever taste freedom this side of heaven. Hence I am making the most of my present conditions, restrictive as they are. Life is not all a tale of woes. To guide a misguided youth, to infuse some hope in one who has none, to pray for one and see the prayer answered - all these engender happiness that I never knew before - as also the feeling that there are people like you out there who do care about us.

On other occasions Ali Muhsin's predicament has depressed him, as in November 1971 when he wrote, "So far nothing has happened to indicate to us that it is contemplated to let us out in the foreseeable future". He is keenly appreciative of the help which Amnesty has given him, and the attempts that are being made to persuade the Tanzanian government that he should be released. Now aged 53, he has not seen his wife and six children since his arrest. His health is generally good, although the monotony of prison life and the inadequacies of a detainee's diet have had their effects. He summed up his wants in a recent letter to his group as "Books, magazines, proteins, vitamins, and above all FREEDOM."

#### Milan Húbl

#### CZECHOSLOVAKIA

Milan Húbl is a historian by profession. From 1962 to 1964 he was Deputy Rector of the Prague Party College, but had to leave this post by order of Antonin Novotny, the Stalinist First Secretary of the Communist Party, Dubcek's predecessor. He then worked at the Institute for the History of European Socialist Studies attached to the Czechoslovak Academy of Sciences until April 1968, when he was appointed Rector of the Prague Party College, the key post in the Party educational system. From this vantage point, he acted as one of the most able and prolific theoreticians of the Czechoslovak reform period. In June 1969 he was stripped of his office and in September of that year he was expelled from the Central Committee of the Communist Party of Czechoslovakia, of which he had been a member since the Soviet invasion.

In the early days of the purge in the Party he was attacked in the press for his activity in the Party College and for his stand in the Central Committee of the Communist Party. Although it is known that he was a supporter of Gustav Husak - for instance, he supported his nomination as Chairman of the Czechoslovak Federal Assembly at the end of 1968 and again his nomination as First Secretary of the Communist Party in 1969 - he was not allowed to hold any university post. His wife, who was also a university lecturer, lost her post in the spring of 1970.

In his career as party historian, Milan Húbl participated in the rehabilitation of the victims of the show trials of the 1950's, particularly in the case of Gustav Husak. This led to his dismissal from the Party College in 1964 because of Novotny's opposition to Husak's rehabilitation. In 1964 he also published some historical findings about show trials in the USSR and the rehabilitations that eventually took place. On a wider plane he has contributed to the concept of the pluralistic system of socialism and was attacked for this by the Soviet press in 1968.

In the autumn of 1971, after a period of enforced unemployment, he was reported to be working on a construction site in Prague.

Milan Hübl was arrested between the 6th and 8th January 1972 in Prague, although no charges were published officially. In view of his previous prominent political post, he one of the most important people recently arrested.

A series of trials began in Czechoslovakia on July 17 1972 and so far 31 people have been given prison sentences of up to 6½ years - Hübl received the severest sentence. The charges have all been that of subversion, connected with the distribution of leaflets in November 1971, before the elections, reminding the public of their constitutional rights.

The trial of Milan Hübl opened in Prague on Monday July 31st, 1972. He was tried with Karel Kyncl, a journalist, and Karel Bartosek, an historian. The charge, as reported by Ceteka, the Czech news agency, was as follows: "The prosecutor charges them with the crime of subverting the republic according to Article 98 of the Penal Code because from the spring of 1971 to the beginning of 1972, in an attempt to contribute to the weakening of the Socialist state system, they prepared illegal pamphlets which they disseminated in Czechoslovakia and also sent abroad."

Hübl was charged under Paragraphs 1 and 2 of Article 98 which carry a maximum sentence of 10 years. The Charge also mentioned his contacts with Jiri Pelikan, the progressive former head of Czechoslovak television who is now living in Rome. Hübl did not deny these, nor the charge that he had sent documents abroad via Ferdinando Zidar, former correspondent in Prague of L'Unita, expelled last February, and Valerio Ochetto, another Italian journalist expelled in May. Hübl maintained, however, that all his contacts with foreigners were legitimate contacts with the Italian Communist Party.

On August 1st, Hübl was sentenced to 6½ years in prison; Kyncl received a sentence of 20 months and Bartosek a suspended sentence of one year.

It should be noted that these trials are being held despite the assurance given by Husak in 1969 that no one would be prosecuted for his activities in the reform period. Husak has been out of the country at a meeting of the Warsaw Pact political leaders in the Crimea since the trials began.

Hübl is married with one child.

#### Doctor Antonio Maidana

#### PARAGUAY

Fourteen years ago this year Doctor Antonio Maidana, professor of history, was arrested by the police of Paraguay's President Stroessner. He was sentenced to two years and nine months' imprisonment under Law 294 'In Defence of Democracy'. On October 17 1961, Judge Dr. Luis Garbarino ordered his release on completion of sentence. Nevertheless, Maidana has remained imprisoned ever since in Police-Station Number Three situated right in the centre of the Capital, Asuncion, and only 100 feet from the Supreme Court.

The damp and humid cell measuring 12 foot square has no windows and the prisoners, whose numbers fluctuate between seven and fifteen, must sleep on the floor since beds are not allowed. In summer the temperature rises above 40°C in Asuncion and the cell itself backs on to the police cookhouse. There is no ventilation and the only lavatory facilities is a tin can. Maidana has never left the cell

once during the whole time of his imprisonment. Today he is a living skeleton, emaciated, half-blind, totally lacking in teeth and hair due to lack of sunlight, and worst of all suffering from tuberculosis. Doctor Maidana's wife, who earns her living as a primary teacher visits her husband every Sunday accompanied by their young daughter who was born shortly after her father's detention in 1958. They speak to him for two minutes in the presence of armed guards by looking through a set of double bars in the cell door. She is not allowed to bring him reading material nor medicines.

Maidana, now aged 55, has a long history of political activity in the Paraguayan Communist Party. He was a leader of the Paraguayan Teachers Association and belongs to the generation that grew up at the time of the bloody Chaco War with Bolivia (1932-35). In 1941, General Morinigo, then Dictator of Paraguay, ordered the judiciary to apply the Law 'In Defence of the State' to Maidana for the political 'crime' of organising a teachers' strike. He was saved from the death penalty by the pressure of public opinion and Morinigo was forced instead to confine him in an isolated fortress in the Paraguayan Chaco desert. He was re-arrested in 1944 when the police raided the offices of the Communist Party newspaper and was again sent into confinement, this time near the Bolivian border. He was later deported to Uruguay returning in 1947. Following a military coup the same year he spent two more years in prison during which time he taught illiterate peasants how to read. From 1950 he went into hiding and in 1957 successfully organised a teachers' strike for better pay and conditions. At the time of his arrest in August 1958 he was actively involved in the preparations for the General Strike which took place in September 1958.

Members of the ruling military Government of President Stroessner have often stated that in the event of an uprising against his regime, prisoners such as Maidana would be shot. It is possible that Maidana is imprisoned as a sort of 'hostage' against threats from the opposition. It is not surprising therefore that offers of political asylum by the Chilean Government and the Belgian Government have been politely declined by President Stroessner. Maidana is obviously more use to the regime imprisoned yet alive, rather than either dead or in exile. On May 9 last year Hugo Alfredo Stroessner, the younger son of the President, visited Maidana's cell after a late night party. He threatened him with a pistol and only left after assuring him that he would never leave the cell alive.

Doctor Maidana's existence as a political prisoner is constantly denied by Paraguayan Government officials and Embassy staff throughout the world. The Archbishop of Asuncion and the International Red Cross have both been refused permission to visit him. Amnesty International adopted Maidana as a prisoner of conscience in 1970 and has published the names of over 100 long-term political prisoners known to Amnesty in Paraguay, of whom only two, including Maidana, have ever been tried. The continued detention of Dr. Maidana is explained in Paraguayan legal terms by a Constitutional clause which permits the President to detain any person for as long as he likes without trial during a State of Emergency. Needless to say, Paraguay has been under a State of Emergency ever since President Stroessner came to power in 1954, and it is attributed to a supposed 'communist threat'. The latter is hardly the case, however, since Paraguay is unique within Latin America as being the only country free from political kidnappings, hijackings and guerrilla movements over the past ten years. Yet paradoxically the longest serving political prisoners on the continent and the ones kept in the most degrading conditions are men who have never even used violence against the regime which imprisoned them. The American Embassy in Asuncion professes its ignorance of the existence of political prisoners in the jails of Paraguay despite the fact that the head of the Department of the Ministry of the Interior directly responsible for political prisoners, Dr. Antonio Campos Alum, was trained at the International Police Academy in Washington.

Pyotr Ionovich YAKIR

USSR

At midday on June 21, 1972, Pyotr Ionovich Yakir, a leading campaigner for human rights in the Soviet Union, was arrested by the security police and taken away to Lefortovo Prison in the centre of Moscow. Following this, a search was made of his apartment and although his wife, Valentina, was present, she was not allowed to telephone friends to inform them of what had happened. Since then, Pyotr Yakir has been detained under investigation, and it is said that he has been charged under Article 70 of the RSFSR Penal Code, the Article forbidding "anti-Soviet agitation and propaganda". In Mr Yakir's case, this consisted of his "systematically submitting to Western propaganda agencies information which was used against the Soviet Union". He has also been charged with recruiting other people to assist him in this, in particular his daughter Irina Yakir. The term "Western propaganda agencies" is taken to refer to Radio Liberty and Radio Free Europe, as well as the Western press in general.

The arrest of Pyotr Yakir, a 49 year old historian, is seen by his friends as evidence of a fresh determination in the present Soviet leadership to put to an end the incipient human rights movement in the country and in particular to stamp out the leading publication of the dissident movement, the Chronicle of Current Events. This is not the first time Yakir has been in prison. He is the son of Iona Yakir, a Soviet General who was shot in 1937 during the Stalin purges. As a result of his father's "liquidation", Pyotr Yakir himself served fourteen years in prison camps and three in exile for alleged anti-Soviet activities. During this period of relative liberalisation in the 1950's under Krushchev, who denounced the Stalinist cult of personality, General Iona Yakir was posthumously rehabilitated along with many other victims of the purges and Pyotr and his mother were released and allowed to return to normal life in Moscow.

In the 1960's, with the birth and growth of the human rights movement in the USSR, Pyotr Yakir began to play a prominent part in Moscow dissident circles. An active seeker-out and purveyor of information, this campaigner for justice did all he could to bring the attention of people abroad to the plight of Soviet dissenters and to petition the Soviet authorities in any case which he regarded as a miscarriage of justice. He was one of the founders of the self-styled "Action Group for the Defence of Civil Rights in the USSR" and has been among the signatories of most of the group's many appeals and protests concerning breaches of civil and constitutional rights in the Soviet Union. A qualified historian, he was forced to work as a library assistant after being banned from working in his profession for political reasons. His daughter Irina has likewise been expelled from the Institute where she worked. The security police have emphasised to Pyotr Yakir that they are willing to have him and his daughter reinstated professionally if they renounce their dissident views and cease their "anti-Soviet" activities - which, of course, neither would ever do.

In a number of protests, especially in the past four years, Yakir has warned of the danger of "new Stalins" emerging on the Soviet political scene. One of his letters to the authorities demanded the release of "unjustly condemned fellow-citizens", who languish in prison camps "simply because they dared to think for themselves". He was also a signatory to a letter to the 1968 Consultative Conference of Communist Parties in Budapest, which was preparing for the big Moscow conference the following year; this appeal pointed out that several thousand political prisoners were still being held in Soviet camps and prisons in what the letter described as "inhuman conditions of forced labour, in a state of semi-starvation and at the mercy of the prison authorities". The signatories called on the Budapest conference to give due attention to the violation of human rights in the Soviet Union.

In March 1969 Yakir wrote a letter to the official Soviet party journal Kommunist, accusing it of trying to rehabilitate Stalin. He said that if the journal did not publish a reply to his letter (which, not surprisingly, the editors failed to print)

he would assume they were admitting the truth of his accusations against Stalin. In that case, he said, he would feel perfectly justified in applying to the Soviet Procurator General for an official indictment of Stalin. "I am certain", Yakir wrote, "that posthumous conviction is as valid as posthumous rehabilitation".

In May 1969, Yakir was one of 55 Russians to sign an appeal issued by the unofficial Action Group for the Defence of Civil Rights in the USSR and addressed to the United Nations. The appeal asked the United Nations Human Rights Commission to come to the defence of human rights in the Soviet Union. Over the next year, the Action Group, under the leadership of Pyotr Yakir, issued four more appeals to U Thant pleading for his intercession in defence of civil rights in the Soviet Union.

In July 1970, Pyotr Yakir was one of three leading Soviet dissidents who risked their precarious freedom to give a television interview to William Cole, the former CBS correspondent in Moscow. The other two were Andrei Amalrik and Vladimir Bukovsky, both of whom have since been arrested and convicted of anti-Soviet activities.

In March 1971 Yakir sent an open letter to the 24th Congress of the Soviet Communist Party in which he warned against what he called "the reappearance of Stalinism in the political, social and cultural life of our country". In October Yakir sent an open letter to the Soviet party leader, Leonid Brezhnev, and President Pompidou of France, who were about to begin talks in Paris. This letter accused the Soviet authorities of committing healthy persons with dissident views to psychiatric hospitals.

In September 1971, Pyotr Yakir was arrested and detained for a few hours as he was leaving his flat to attend the funeral of Mr Krushchev. Evidently, the authorities feared he might use the occasion to make an inflammatory speech; Yakir and his wife were accused at the police station where they were held of "being about to commit an anti-social act", and were released only after a telephone call was received to say that Krushchev's funeral was over.

In a recent public statement Yakir revealed that similar measures had been taken against Soviet dissidents on the eve of President Nixon's visit to Moscow in May 1972. He said the police had summoned himself and other dissenters and civil rights campaigners and demanded that they sign an undertaking to refrain from so-called "anti-social actions" during the President's visit. In his statement, which he defiantly handed to Western newsmen, Yakir said "One would like to think that after the Nixon visit the reaction will not be intensified, that (political) arrests will be stopped, and nobody will be taken to lunatic asylums. It is time to put an end to the Middle Ages".

Evidently, Yakir knew that he was walking a tightrope; his apartment had been searched several times and the KGB had repeatedly warned him that they intended to silence him at all costs. Yet he continued his campaigning activities. Knowing that his arrest was imminent Yakir recorded a statement which contained these sentences: "If they beat me I will say anything - I know that from my former experience in the camps. But you will know it will not be the real me speaking. Another thing - I shall never in any circumstances commit suicide. Sp you will know that if they say I have done away with myself someone else will have done me in".

The trial of Pyotr Yakir is likely to be, in the words of one Soviet specialist, "the most important political trial in Russia since Stalin's day". It is widely believed that this case will have a decisive influence on the future of the democratic movement as a whole in the Soviet Union.

Nathaniel Gottlieb MAHUILILI

NAMIBIA

Mr Nathaniel Gottlieb Mahuilili, Acting President in Namibia for the South West Africa People's Organisation, a liberation movement, was served with a banning order in July. He is thus the first Namibian to be restricted under South Africa's Suppression of Communism Act, a law which can be used to restrict to a specified area, anyone suspected of 'furthering the aims of communism. Namibia is a former German colony (South West Africa) which was mandated by the League of Nations to South Africa in 1919. The Mandate was terminated by the United Nations in 1966, but South Africa refused to withdraw her administration and continues to rule the territory, as she claims, 'in the spirit of the Mandate'. South Africa makes laws for Namibia. She has extended some of her own laws to the territory, including some of the far-reaching security legislation, of which the Suppression of Communism Act is one part. This Act defines communism as including:

'any doctrine or scheme which aims at bringing about any political, industrial, social, or economic change within South Africa by the promotion of disturbance or disorder, or by unlawful acts or omissions, or which aims at the encouragement of feelings of hostility between black and white, the consequences of which are calculated to further the achievement of doctrines or schemes such as those mentioned'.

Mr Mahuilili was elected to the leadership of SWAPO because of his extensive political experience. Before he joined the organisation he had lived for a number of years in Angola where he was involved in the organisation of the Trade Union movement. His political career in Namibia soon brought him to the notice of the South African authorities. In 1964 he was arrested for trying to organise a protest against a commission appointed by South Africa to make recommendations for the development of Namibia. He was sentenced to four months' imprisonment. This commission, which came to be known as the Odendaal Commission, recommended that the South African policy of dividing up the African areas ethnically into 'bantustans' should be adopted in Namibia. Between 1964 and 1968 the police carried out an intensive campaign against SWAPO, its leadership, guerrilla fighters and persons who were suspected of collaboration. A large number of people were arrested and detained in South Africa without trial. In 1967 South Africa passed the Terrorism Act and 37 of the detained Namibians were charged under it a few weeks before it became law. The main charge was 'participating in terrorist activities'. Mr Mahuilili and two others were acquitted on this, but convicted of alternative charges brought under the Suppression of Communism Act. According to observers, the court found no evidence that they had participated in acts of violence, or had advocated violence. They were given the mandatory sentences of five years' imprisonment, which were suspended for 59 months.

After serving his sentence, Mr Mahuilili returned home to Walvis Bay, but was placed under constant police surveillance, with the result that he had difficulty in finding a job. As he put it, he was 'regarded as an unsavoury character'. While he seemed to withdraw from public life, within the limitations of his situation, he continued to try and draw attention to the plight of the Namibians under South Africa's rule. Early in 1972 he gave an interview to a newspaper on the Ovambo migrant workers' strike. The strike apparently occurred spontaneously and involved more than 14,000 who left their jobs in protest against the contract labour system, under which they are recruited to work in the industrial areas and white farms outside their reserves. It has been widely described as a form of the/slavery, but/authorities dispute this, maintaining that it has been voluntarily accepted by the workers. This view was put forward by the senior government official in charge of African affairs in Namibia, Mr Jannie de Wet, in reply to criticisms by the churches. Mr Mahuilili blamed Mr de Wet's remarks directly for the strike, reiterating that it was indeed a form of slavery "which binds Africans

contd...

to one job with no negotiating power and poor wages". He added that for more than 10 years the Ovambos had tried to tell the government of their abhorrence for the contract labour system but their appeals had been disregarded.

The Suppression of Communism Act was extended to Namibia in 1966. The fact that the banning provision is only now being used may indicate that South Africa is adopting stricter measures to deter those who might raise their voices in protest against her administration of Namibia. Mr Mahuilili led a lonely and an isolated life after he was released from jail, frustrated at his inability to communicate to the outside world the problems facing his fellow Namibians. He was adopted by a Danish Amnesty Group, who exchanged a number of letters with him. He impressed them as a very religious man who was 'more concerned about humanity as a whole' than about his own circumstances. His imprisonment had apparently affected his health and the fact that he was unable to provide for his family must have weighed heavily on his mind; he was certainly concerned about the future of his five daughters, two of whom are twins. However, his letters were uncomplaining. The group were touched by his simplicity, honesty and the warmth with which he 'talked to his friends' and the love and respect he obviously had to all men. Mr Mahuilili's ban restricts him to the African township of Kuiseb River, near Walvis Bay. It will cut him off from contacts with other people; he may not attend meetings and gatherings; he will not be free to receive visitors of his choice and he will be liable to arrest if he leaves Kuiseb River. It will be an offence to quote him in any publication. He is forbidden to hold a job where he will be in contact with the public. All this means that he can no longer serve the Namibians by bringing their problems to light as he tried to before. Added to this he will suffer a great deal of personal hardship. He is in his fifties and so no longer young and his health has never been very good. As before, his job may be affected. He may find it very difficult to provide for his family. His ban will serve to make him lonelier and more isolated than he was before.

N.B. Mr Mahuilili's legal position is very similar to that of Father Cosmas Desmond in South Africa (see page 1).

#### Suleyman EGE

#### TURKEY

Suleyman Ege is a Turkish author and publisher. At the time of his arrest in 1971, he was director of the Ankara publishing firm 'Science and Socialism Publications', which has now been closed down. He is now serving a 22 year sentence for 'spreading communist propaganda' through the publication of books on socialism and communism. We have chosen to publicise Mr Ege's case during Prisoner of Conscience Week as it is a typical example of the people adopted by Amnesty in Turkey at the present time. His imprisonment should be seen in the context of recent Turkish politics.

When the Turkish army intervened in 1960 to overthrow the right-wing government of Adnan Menderes, it did so with liberal support and amidst vociferous approval of the student left. In the Constitution drawn up under army scrutiny the following year (1961) great care was taken to see there were clauses guaranteeing civil liberties and the independence of the traditional liberal strongholds, such as the press, the judiciary, and the universities.

The years 1961-1971 were therefore a time of greater political freedom and democracy than any Turkey had known before or since. During the last years of the 1960's, however, Turkey experienced a rising increase of industrial and economic unrest and an escalation of violent student demonstrations. In March 1971, the Prime Minister - Demirel - resigned and a new Government was formed by Nihat Erim, pledged to restore law and order. Martial law was imposed in 11 of the country's 66 provinces including all university-towns, and widespread arrests followed throughout the summer and autumn of 1971.

contd....

Among those detained were many professional writers, publishers, journalists and university teachers, all people whom the government declared had been guilty by their deeds and attitude of "helping to spread an atmosphere conducive to the present state of anarchy". Although many of the people were released after interrogations, others have been tried on charges of disseminating communist propaganda. It was at this time that Suleyman Ege was arrested. In addition, numerous political organisations of both left and right wing persuasions were closed down.

Mr Ege was first adopted by Amnesty in 1967 when he was prosecuted and sentenced to nine months' imprisonment under Article 141/142 of the Turkish Penal Code which makes it an offence to "make propaganda with the aim of asserting the domination of one class over another class or the suppression of one class". Mr Ege's offence at the time was that he had published and written a book about the Hungarian peasant movement. He was released after having served his sentence and continued his literary and publishing activities until he again was arrested after the military coup d'etat in March 1971 and brought to trial in the autumn of the same year. Once again Mr Ege was charged under Article 141/142 for having spread Communist propaganda by publishing such books as: "A History of the Bolshevik Party", "The Communist Manifesto", "The State and Revolution" and "The Workers of All Countries Unite". He was brought to trial in "The Third Criminal Court" in Ankara and received two sentences, running concurrently, of altogether 22½ years to be followed by 12 years in exile.

Reverend Sandor SOMOGYI

HUNGARY

In a closed trial in Budapest in April/May 1971, the Reverend Somogyi was sentenced, together with three other Roman Catholic priests, to 4 years' imprisonment with a fine of 4,000 forint to cover the cost of the trial. Under arrest since September 1970, he was charged with the "teaching of ideology hostile to the present political system in Hungary", probably under Article 118 of the Hungarian Penal Code. The trial was held in secret; therefore, no details are known.

The Hungarian Constitution guarantees freedom of religion in theory, but in practice the position of religious believers in Hungary, in particular Roman Catholics, is a difficult one. Religious orders were dissolved in 1950, and most religious schools and seminaries were closed; the Clergy are obliged to swear allegiance to the State, and Church appointments have to be approved by the State Office for Church Affairs. The money which is provided by the Vatican is distributed by the State, so that it is spent on beautifying the outside of churches only, rather than on the inside and on the purchasing of new prayerbooks etc. Although the churches are officially "open", many people, particularly Communist Party members, are afraid of attending church or having their children baptized for fear of discrimination against them at their place of work and socially. The implications are that, as in the Soviet Union, religious instruction is considered hostile propaganda. Therefore, while religion is theoretically legal, priests are prevented from carrying out their duties, i.e. the teaching of religion, as this becomes a criminal offence.

Sandor Somogyi comes from a well-educated middle-class family who have always been devout Roman Catholics. The family had in fact been under surveillance by the Security Police for many years; and they experienced the first of several house searches in 1960. It was about this time that Sandor, having



attended the Central Theological Seminary in Budapest, was ordained secretly as a priest. Because his ordainment was unofficial, he will never be able to practise legally as a priest. Like many priests, he must earn his living doing manual work - he was working as an unskilled labourer at the time of his second arrest - and any religious activities which he indulges in will be illegal.

In January 1965, he was arrested with many other priests and charged with unofficial religious activities, with specific reference to young people. He received a sentence, again behind closed doors, of 2½ years, but was unexpectedly released before its expiry in December 1966. During the time of his imprisonment he was adopted as a prisoner of conscience by Amnesty. His second arrest and trial, in 1970/71, has many similarities with the earlier process, and the charge to all appearances is identical. The reference to young people, i.e. their religious instruction, was exploited by the police in the second trial. According to reports, police interrogators questioned several young people about their relationships with the accused and threatened them with reprisals unless they agreed to testify against them. The situation is aggravated by the fact that many youths attend church service not out of any religious conviction but as a gesture of hostility to the regime.

The accused and their following may well be opponents of the regime in Hungary, for which there is no unofficial outlet such as there is now in the Soviet Union. However, their activities, while perhaps causing annoyance to the authorities, were not theoretically illegal. There has also been a suggestion that their imprisonment is connected with the negotiations going on at the moment between the Hungarian Government and the Vatican: it is thought that the Hungarian Government may be using the imprisoned priests as hostages. However, the priests themselves have announced that they would not want the Vatican to make any concessions on their behalf.

It is clear that the position of Roman Catholics will continue to be difficult in Hungary until the government changes its attitude towards religion and allows its free practice. Meanwhile when Sandor Samogyi's sentence expires, he will undoubtedly return to his "unofficial" religious activities and will therefore be liable for a third term of imprisonment.