

**URGENT  
ACTION**

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ACTION**

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*Amnesty International opposes by all appropriate means the imposition and infliction of death penalties and torture or other cruel, inhuman or degrading treatment or punishment of prisoners or other detained or restricted persons whether or not they have used or advocated violence.  
(Amnesty International Statute, Article 1(c))*

EXTERNAL (for AI members and non-AI members who take part in Urgent Actions.

AI Index: ACT 61/02/81  
Distr: UA

To: All Urgent Action Coordinators

From: Campaign Unit

Date: 18 May 1981

FURTHER INFORMATION ON URGENT ACTION CASES

Summary

The attached document gives further information on a number of Urgent Action cases issued during 1980 and 1981. The information is listed chronologically according to UA number; in each case the date and AI Index number of the UA is given.

The attached document is for the information of UA participants; no further action is requested. However, if the IS receives additional information on any of these cases which requires further appeals from UA participants, a "follow-up" giving the new information and further recommended actions will be sent to UA participants. The Campaign Unit regularly issues "follow-up" information on individual cases which require further action by UA participants, at the time that the new information is received.

Distribution

This document is being sent to all Urgent Action coordinators in the same way as UAs are distributed. National sections will receive one copy for information in the regular weekly mailing to national sections.

Recommended action

- Please pass the relevant information to all UA participants who have taken part in the UAs included in this document. Pages contain information on one side only to make it easier for UA coordinators without reproduction facilities to distribute the information to UA participants.
- If this document is divided up into separate cases, please make sure that each section is dated.
- If national sections normally file UAs according to country, this document should be divided accordingly, adding the date and AI Index number (ACT 61/02/81).



EXTERNAL (for  
general distribution)

AI Index: ACT 61/02/81  
Distr: UA  
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FURTHER INFORMATION ON URGENT ACTION CASES

UA 130/80 URUGUAY: Claudio Benech (AMR 52/15/80 23 June) - "Disappearance"/Fear of Torture

Claudio Benech, the author of various books on physics, was abducted from his home in Montevideo in early June 1980. AI feared that he may have been abducted by government agents and may have been tortured during the first period of detention. Initial attempts by his family to find out where he was being held proved unsuccessful.

Claudio Benech's detention was subsequently acknowledged by the authorities. At the end of 1980 he was granted provisional liberty to spend the New Year with his family. He then escaped by car to Brazil with his wife and two youngest children and was granted refugee status by the United Nations High Commissioner for Refugees (UNHCR). He has now been joined by his other children.

UA 161/80 CZECHOSLOVAKIA: Dr Jaromir Savrda (EUR 16/10/80 28 July) - Health Concern

Dr Jaromir Savrda, a 47-year-old writer, was sentenced to two and a half years' imprisonment for dissemination of "anti-state" texts. He was adopted by AI as a prisoner of conscience. AI was seriously concerned about the state of Dr Savrda's health; he had in the past suffered from renal tuberculosis and an unspecified heart disease and his health was rapidly deteriorating.

Dr Savrda was released from prison on 26 March 1981 on the completion of his sentence.

UA 165/80 CHILE: Maria Isabel Ortega Fuentes, José Martinez (AMR 22/24/80 31 July) - Torture

AI was concerned that Maria Isabel Fuentes and Juan Rojas Martinez (*correct name*) would be tortured following their arrests in July 1980. Hundreds of arrests took place in Chile after the killing of the Director of the Military Intelligence School in Santiago on 15 July 1980. The Minister of the Interior then announced that the period during which detainees could be held incommunicado at his disposition had been increased from five to twenty days. AI received testimonies of very severe torture during this period of incommunicado detention.

Juan Rojas Martinez is still in detention on charges of *asociación ilícita* and other charges under the *Ley de Seguridad Interior* (Law of Internal Security). He was initially held in the Penitenciaria in Santiago but was later transferred to the Cárcel Pública in Santiago. There are no longer fears that he will be tortured.

UA 193/80 EL SALVADOR: Members of Electricity Workers Union (AMR 29/42/80 27 August) - Fear of Torture/Fear of extra-judicial killing

On 22 August 1980 almost the entire leadership of the *Sindicato de Trabajadores de la Electricidad de la Central Eléctrica del Río Lempa* (STECCEL - Union of Electricity Workers at the Río Lempa power station) were arrested and detained by military forces. The arrests followed a 24-hour strike by electricity workers throughout El Salvador on 21 August.

AI subsequently received reports that some of these members of STECEL were being held in Santa Tecla prison. Among those named as being held in this prison were José Arnulfo Grande, José Alberto Hernán, Alfonso Hernández Represa, Jorge Hernández, Arcadio Rauda and Hector Bernabe Recinos. It is possible that other members of the STECEL Union are also being held in the Santa Tecla prison.

AI continues to make enquiries about these trade unionists and to appeal for their release.



UA 205/80 URUGUAY: Dr Héctor Clavijo Fernandez, Luis Jorge Martinez Perez, Germán d'Elia (AMR 52/23/80 9 September, AMR 52/33/80 22 September) - Legal Concern/Fear of ill-treatment

Dr Héctor Clavijo Fernandez and Luis Jorge Martinez Perez, both Uruguayan lawyers were arrested in Montevideo in August 1980. Dr Clavijo is a leader of the *Partido Nacional* or *Blanco* Party which has been "in recess" since the armed forces came to power in Uruguay in 1973. Sr. Martinez Perez was believed to have been a supporter of the now-banned Socialist Party. AI later received news that both men had been released shortly after their arrest.

Also among several supporters of the Paraguayan Socialist Party arrested in August 1980 was a former Socialist member of parliament, Germán d'Elia. He too was subsequently released.

AI received the following letter from the International Department of the Uruguayan Socialist Party, based in Spain:

"Dear Friends

The representatives of the Socialist Party of Uruguay abroad wish to convey to you, through this letter, the recognition of our Party for the intensive solidarity campaign that your organization has carried out on the occasion of the repression suffered by our Party in Uruguay, during August and September of this year.

This fraternal solidarity has made it possible for our colleague and President, Dr José Pedro Cardoso, to recover his freedom, as well as a large number of socialist colleagues who were detained during August and September....

...The freedom of our colleagues shows the importance of international solidarity. Solidarity is essential also to maintain and increase the international isolation of the fascist dictatorship of Uruguay."

UA 207/80 PARAGUAY: Apolonia Flores, Apolonaria Gonzalez (AMR 45/07/80 10 September, AMR 45/12/80 15 October) - Health Concern/Legal Concern

Apolonia Flores and Apolonaria Gonzalez were among several *campesinos* arrested after a confrontation with Paraguayan troops in March 1980, during which both girls, aged 13 and 16 respectively, were reported to have been injured. AI was concerned about the physical and mental welfare of these two girls and the nature of the charges against them.

Apolonia Flores was released from the Buen Pastor reformatory for women in September 1980. Apolonaria Gonzalez was released on 21 January 1981 after an official evaluation of her mental age by a psychiatrist.

UA 220/80 CHILE: Eduardo Arancibia Ortiz, Mario Muñoz Espinoza (AMR 22/33/80 24 September) - Fear of Torture

Eduardo Arancibia Ortiz and Mario Muñoz Espinoza were arrested by the *Central Nacional de Informaciones* (CNI - Chilean secret police) in September 1980. AI feared that they would be tortured while held in incommunicado detention.

Both men, who are accused of taking part in bank raids and other terrorist activities, are now being held in the *Cárcel Pública* in Santiago. There are no longer fears that they will be tortured.

UA 237/80 CHILE: Several arrests (AMR 22/37/80 17 October) - Fear of Torture/Legal Concern

AI had learnt of the arrest of several Chileans during the months of September and October. In many cases the arrests appeared to be arbitrary and in all cases AI feared that the prisoners would be tortured while held in incommunicado detention.

Maria del Rosaria Moya Ibarra, Carlos Muñoz Benítez and Carlos Hector Tapi a Botello were released shortly after their arrest. Luis Garcia Corales, Reinalde Sarraute Perone, Patricio Perez Rosales, Pedro Domancic and Alfonso Gomez Ocaranza were released on bail in November 1980; they were all accused of belonging to an illegal political party (*asociación ilícita*). AI has received unconfirmed reports that Luis Garcia Corales has since been sentenced to two years' internal exile. Fermín Montes Garcia is being held in the *Cárcel Pública* in Santiago and is on trial for being involved in a bank raid.



UA 238/80 EL SALVADOR: Carmen Asensio Delgado, Salvador Cruz, Jorge Antonio Reyes Hernandez, Hugo Elver (AMR 29/54/80 21 October) - "Disappearance"

Carmen Asensio Delgado and Salvador Cruz were arrested on 10 October 1980 in San Salvador. AI subsequently received reports that they were released on 14 October. They testified after their release that they had been detained by the National Guard.

AI has received no further news about Jorge Antonio Reyes or Hugo Elver, both reported to have been detained by the armed forces.

UA 241/80 CHILE: Hugo Riveros Gomez (AMR 22/38/80 23 October) - Fear of Torture/Legal Concern

Hugo Riveros Gomez, a 26-year-old painter, was taken from his home in Santiago by armed men in civilian clothes on 20 October 1980. Sr. Riveros had worked with cultural and trade organizations in Chile. There were fears that he would be tortured while held in incommunicado detention.

According to AI's information, Sr. Riveros is being held in the Cárcel de Buin, in the province of Santiago, after being transferred from the Penitenciaría in Santiago at the end of January 1981. He was accused of membership of the MIR (*Movimiento de Izquierda Revolucionaria*) under Decree Law 77 of 1973 which bans all political parties.

UA 244/80 CHILE: Carlos Eduardo Gonzalez Guzman (AMR 22/39/80 24 October) - Fear of Torture

Carlos Eduardo Gonzalez Guzman was arrested by the security forces in Santiago on 23 October 1980. AI feared that he would be tortured while held in incommunicado detention.

Sr. Gonzalez was transferred from the Penitenciaría in Santiago to the Cárcel de San Bernardo, Province of Santiago, in January 1981. He is accused of belonging to the MIR (*Movimiento de Izquierda Revolucionaria*) which has been banned since 1973. There are no longer fears that he will be tortured.

UA 245/80 MEXICO: Ignacio Gonzalez Ramirez (AMR 41/04/80 27 October) - "Disappearance"

AI received reports that Ignacio Gonzalez Ramirez, a university professor, was kidnapped by five people on 17 October 1980. The five were believed to have been agents of the judicial police (*policías judiciales*).

Professor Gonzalez was subsequently released. He was held in different secret prisons and tortured during his detention.

Some Urgent Action participants received a telegram from the Mexican authorities saying that their appeals had been forwarded for attention to the Procurator General of the Republic.

UA 249/80 GUATEMALA: Gaspar Culan (AMR 34/50/80 31 October) - Unacknowledged detention

Gaspar Culan, the director of a radio station in Santiago Atitlan, Solola, was detained by security forces on 25 October 1980.

The dead body of Gaspar Culan was found one week after his abduction.

UA 251/80 CHILE: Arrests in Curico (AMR 22/40/80 4 November, AMR 22/41/80 6 November) - Fear of Torture/Legal Concern

On 2 November 1980 about twenty people were arrested in the town of Curico. They were reported to be held in the headquarters of the *Regimiento de Curico*. Conditions were bad and there were fears that these people may have been ill-treated.

It is believed that they have now all been released from detention.



UA 252/80 PARAGUAY: Pedro Igon, Zulema Igon, Ruben Dario Verón, Mario Malgarejo, Virgilio Rios, Jorge Anibal Rios (AMR 45/14/80 4 November) - Legal Concern/Fear of Torture

Pedro and Zulema Igon, both Argentinians, were arrested on 11 October in Asunción. AI subsequently learned that they were both expelled to Argentina where they are now in detention. AI does not yet have details of the charges against them.

Ruben Dario Verón and Mario Malgarejo were arrested on 22 October 1980. Mario Malgarejo is a leader of a dissident branch of the official Colorado Party; Ruben Dario Verón is a colleague of his. Both men were released on 24 December but were then rearrested on 26 December 1980. They are now being detained in the Penitenciaría Nacional de Tacumbú and their trial is in progress, although the exact charges against them are not clear.

Virgilio Rios and Jorge Anibal Rios were arrested on 18 October 1980; it is not clear why. Virgilio Rios was released shortly after his arrest. It is likely that Jorge Anibal Rios has also been released but this has yet to be confirmed.

UA 258/80 PHILIPPINES: Father Pepito Bernardo (ASA 35/07/80 12 November) - Health Concern

Father Pepito Bernardo, a prisoner of conscience, was reported to be seriously ill in Camp Bagong Diwa in Taguig, Rizal near Manila. He was reported to be still suffering from the effects of cerebral malaria which AI believed could be seriously aggravated if he continued to be confined in Camp Bagong Diwa and particularly if he was denied adequate medical care.

Father Bernardo was released from detention on 23 December 1980.

An Urgent Action participant in Belgium received a reply from the Philippines Embassy in Brussels which confirmed that Father Bernardo had been released from detention.

UA 264/80 CHILE: Aurelio del Rio Figgelkow, Cristian Galaz, José Miguel Cartagena, Pedro Luis Henriques Farias (AMR 22/45/80 21 November, AMR 23/46/80 25 November) - Fear of Torture

Aurelio del Rio Figgelkow, Cristian Galaz, José Miguel Cartagena were arrested by agents of the *Central Nacional de Informaciones* (CNI - Chilean secret police) on 19 November 1980. AI feared that they would be tortured while held in incommunicado detention. Aurelio del Rio Figgelkow and José Miguel Cartagena were reported to have been released on 22 November 1980. AI received no more news about Cristian Galaz.

Pedro Henriquez Farias was arrested on 13 November 1980 by twelve men in plain clothes. Although the charges against him are not known, AI received reports that he was released on bail on 5 March 1981.

UA 267/80 ANGOLA: Maximo Alves Fernandez, Makiadi-Luzoladio, Lazaro Martinez Martinez, Felício do Espírito Santo Mendes, Pierre Mukaz Yav, N'Dungulu-Amambu, Tchilambu-Izamona, Henri Mangala, David Kayombo (AFR 12/10/80 24 November AFR 12/01/81 30 January) - Legal Concern

The prisoners named above, all of whom are of nationalities other than Angolan, were being detained in Angola without charge or trial.

All these prisoners have now been released. Lazaro Martinez Martinez is reported to have been allowed to leave Angola and is in Belgium. The Zaireans named in this Urgent Action (Makiadi-Luzoladio, Ndungulu-Amambu, Tchilambu-Izamona, Henri Mangala, David Kayombo and Pierre Mukaz Yav) are reported to have been released from prison into the custody of the United Nations High Commissioner for Refugees (UNHCR) in Luanda, probably in March 1981.



UA 274/80 PHILIPPINES: Exequiel Angeles (ASA 35/11/80 26 November, ASA 35/01/81 29 January) - Death Penalty

Exequiel Angeles was sentenced to death in 1966 for alleged involvement in a shooting incident which resulted in a woman's death. The Supreme Court rejected a final appeal against the death sentence in early November 1980 and it was believed that the date of execution had been set for early December 1980. President Marcos decided to grant a 60-day stay of execution and subsequently decided to commute Exequiel Angeles' death sentence to imprisonment.

UA 275/80 SOMALIA: Yusuf Omer Azhari, Yusuf Ali Barre, Bashir Yusuf Elmi, Mrs Saida Eotan Elmi, Jama Ali Jama, Shakib Sheikh Mohamed, Yusuf Osman Samantar (AFR 52/02/80 27 November) - Health Concern

AI was seriously concerned about the health of the seven prisoners named above who are being held in Mogadishu Central Prison, Labatan Jirow Prison or Lanta Bur Prison. Conditions in all three prisons are known to be harsh and medical attention is inadequate.

Many Urgent Action participants received the following reply from the Minister of Justice and Religious Affairs in Somalia:

*"This is to inform you that all prisoners in this country irrespective of their offences are given fullest medical attention and there are special doctors who visit all the prisons regularly and look after all the prisoners in accordance with the existing prison laws.*

*Physical torture of prisoners is prohibited and is an offence under the laws of the Somali Democratic Republic and thus there is no question of physical assault of any prisoner so you are wrongly informed if you got such an information.*

*Moreover from time to time amnesties and indults are declared and hundreds of prisoners benefit from them almost every year."*

AI's information, however, indicates that medical treatment is generally inadequate and that although torture is officially prohibited it does nevertheless occur. Political prisoners rarely benefit from the amnesties which are periodically declared.

AI continues to work on behalf of these seven prisoners.

UA 282/80 TAIWAN. (Republic of China): Yeh Tao-lei, Kao Hao-yuan (ASA 33/20/80 5 December) - Legal Concern

Ms Yeh Tao-lei, a 29-year-old sociology graduate, was charged with sedition on 17 November 1980, after being arrested in September 1980. She was subsequently sentenced to 14 years' imprisonment.

Kao Hao-Yuan (*correct name*), a 27-year-old seaman, was charged with sedition on 11 November 1980. He was tried by a military tribunal on 18 December 1980, found guilty and sentenced to 13 years' imprisonment.

AI continues to investigate the charges and evidence against these two people.

288/80 MALI: Ibrahima Samba Traore (AFR 37/04/80 12 December) - Legal Concern/Torture

Ibrahima Samba Traore, a teacher, was arrested on 30 September 1980, reportedly for being in possession of a document critical of government policies. AI believed that his association with teachers who boycotted school examinations in June 1980 may have led to his detention.

Ibrahima Samba Traore is still being held in the *Prison Central* in the capital, Bamako. He has been adopted as a prisoner of conscience and AI continues to work for his unconditional release.



UA 289/80 ARGENTINA: Arrests on 10 December (AMR 13/37/80 19 December) - Legal Concern

On 10 December 1980, International Human Rights Day, about 32 people were arrested following a demonstration in the Plaza de Mayo in Buenos Aires. According to reports they were detained for violating a police edict on public order.

About five of those arrested had links with the *Madres de la Plaza de Mayo* (Mothers of the Plaza de Mayo). Others were relatives or friends of "disappeared" people or people who supported their cause, or students. The prosecution asked for 15 days imprisonment. The defence lawyers appealed against this and the sentence was reduced to 10 days for "disorder in the street". After being held for two days in a police station, the women were sent to the Instituto San Miguel (a prison for those who have committed minor offences) and the men were sent to Villa Devoto prison. All were subsequently released on the completion of their sentences.

UA 1/81 CHILE: Carlos Montes Cisternas (AMR 22/01/81 5 January) - Fear of Torture/Legal Concern

Carlos Montes Cisternas, an economist aged 34, was arrested by the police in Santiago on 30 December 1980.

AI subsequently learned that Sr. Montes Cisternas was held in incommunicado detention for twenty days by the *Central Nacional de Informaciones* (CNI - the Chilean secret police), during which time he is reported to have been beaten on several occasions. He is now being held in the Carcel Publica in Santiago after being transferred from the Penitenciaría at the end of January 1981. He is accused of "illegal association" (*asociación ilícita*) under Decree Law 77 which bans political parties, and of charges under the Law of Internal Security.

Carlos Montes Cisternas has been adopted as a prisoner of conscience and AI continues to work for his unconditional release.

An Urgent Action participant in Great Britain received a reply from the Chilean Embassy in London:

"...Mr Montes was arrested during the investigation following a simultaneous 3 bank robbery occurred in Santiago during which 3 persons were killed (2 policemen and 1 bank guard) and 6 more suffered grave bodily injuries in the shoot out. At least 40 people appeared involved.

At the time of your letter Mr Montes had already been brought in front of court and remanded in custody charged with evidence of receiving foreign funds for organized subversion.

In Chile, after a maximum of 5 days of arrest individuals have to be freed or brought in front of courts. Very exceptionally when a crime bears only one of one of the following 3 results: manslaughter, grave bodily injuries or kidnapping, and only in these 3 specific cases can the period of arrest be 20 days. Unfortunately, this was the case of Mr Montes.

Only a very well organized campaign could pretend that he had been detained and could disappear. In Santiago it was well publicized that Mr Montes was under arrest and would have to face charges. Today, it is entirely up to the Judiciary and not to the Government what would happen to Mr Montes who, by the way, has very active legal counselling.

AI believes that these accusations against Carlos Montes Cisternas are completely without foundation.

3/81 EL SALVADOR: Jesus Romero Galdamez, Ricardo Alfonso Martinez, Romeo Moreira, Carlos Mauricio Hernandez, Otto Jaime Portillo, Alfredo Campos, Ecarnación Gutierrez, Ana Ester Valdez (AMR 29/01/81 12 January) - Fear of Torture/Fear of extrajudicial killing

On 9 January 1981 the Salvadorian army raided the publications department of the Ministry of Education in Mejicanos. The Director of Publications and general manager was arrested together with seven other members of staff.

AI has since received reports that at least four of these people (Jesus Romero Galdamez, Romeo Moreira, Ricardo Alfonso Martinez and Carlos Mauricio Hernandez) are being held in the Santa Tecla prison. AI continues to make enquiries about these prisoners and to appeal for their release.



UA 3/81 EL SALVADOR: Vida Cuadra, Francisco Ramirez Avila and seven others (AMR 29/03/81 16 January) - Fear of extrajudicial killing

On 15 January 1981 Vida Cuadra, Francisco Ramirez Avila, both journalists on the newspaper *El Independiente*, and seven members of staff from the office of the same newspaper were abducted by the armed forces in the afternoon of 15 January 1981.

AI has since received reports that at least one of these people, Francisco Ramirez Avilar, is being held in the Santa Tecla prison. AI continues to make enquiries about all nine prisoners and to appeal for their release.

UA 9/81 ARGENTINA: Julio Rojas, Dimas Prisciliano Acosta (AMR 13/01/81 19 January) - "Disappearance"

Julio Rojas, a member of the Paraguayan Communist Party, and Dimas Prisciliano Acosta, leader of the Graphic Workers in Paraguay and also believed to be a member of the Paraguayan Communist Party, were thought to have been abducted in Buenos Aires, Argentina, in late December 1980.

AI has since learned that they were not detained and that they left Argentina.

UA 11/81 HONDURAS: Felipe Viera (AMR 37/01/81 21 January) - 'Disappearance'/Fear of Torture

Felipe Viera, leader of a cooperative in Lean in the department of Atlantida, was reported to have been arrested on 10 January 1981 by members of the *Departamento de Investigaciones Nacionales* (DIN- Department of National Investigation), and taken to army barracks in Tela and from there transferred to an army military base at Tamara. However, the army were reported to have denied that he was in detention.

A few Urgent Action participants received a reply from the Commander General of the Honduran armed forces, Colonel Gustavo Adolfo Alvarez Martinez, saying that Felipe Viera had not been arrested and that he had been seen alive at the beginning of February 1981:

*"We have delayed replying to your letter of 24 January because we were making enquiries into the whereabouts of Felipe Viera throughout the whole country. The result of these enquiries were that Felipe Viera had at no time been detained. We have received information that on 6 February of this year Sr. Viera ... visited the cooperatives of Corba, Agua Caliente and San Jose de Taxiguat, which fall within the jurisdiction of Lean, Esparta.*

*We hope that this information will be useful for you and others who are concerned about the whereabouts of Felipe Viera."*

JA 15/81 MADAGASCAR: Monja Jaona (AFR 35/01/81 27 January) - Legal Concern

Monja Jaona, president of the MONTMA party, was detained on 1 December without formal charge under an *assignation a residence fixe* decree, initially at a remote army internment camp near Ihosy, 600 km south of the capital, Antananarivo. AI was concerned that he was effectively detained indefinitely without charge or trial for his political beliefs and as leader of his party.

AI subsequently learned that Monja Jaona was later transferred to better conditions under house arrest in Ihosy where he was allowed access to his family. In March 1981 he was released from *residence surveillée* in Ihosy and allowed to return to his own home.

Some Urgent Action participants in the Federal Republic of Germany received replies from the Madagascan Embassy in Bonn:

.../...



"While acknowledging your letter, the contents of which have been conveyed to the President of the Democratic Republic and the Minister of Justice, I should like to draw your attention to the fact that you have been ill-informed about the situation of Nonja Jaona.

In fact, it was because of his age and his health and for humanitarian reasons that the President of Democratic Republic of Madagascar assigned him to the private residence of the Head of State. Nonja Jaona was also authorised by the President of the Republic to bring his family to join him there if he wished. This situation was made known to the people of Madagascar by the President himself.

You might perhaps say Nonja Jaona has been placed under house arrest. This is true but it is also the only means of protecting him from those malevolent elements who wish to assassinate him. He is being very well treated, since the Head of State himself ensures that he is. He has the right to invite his family to live with him, and enjoys a peaceful and well-deserved rest fitted to his age, especially after so many years of caring about the well-being of his country and compatriots.

Consequently, and without wishing to enter into a lengthy polemic, I should like to ask you, if need be, to pass this information on to those who, like you, have been ill-informed about the present state of Nonja Jaona."

UA 18/81 MALI: Cheick Koumare, Cheick Coulibaly, Pare, Aliou Sountara (AFR 37/01/81 29 January)  
Torture

AI was concerned that Cheick Koumare, Cheick Coulibaly, Pare and Aliou Sountara may have been tortured while held in detention. Cheick Coulibaly, a teacher, and Cheick Koumare, a student teacher, were believed to have been arrested because of their connection with the independent teachers' trade union which was continuing its protest against the imprisonment of its leaders and members. A friend of theirs, Pare, and another student, Aliou Sountara, had also been arrested.

AI has adopted all four as prisoners of conscience and continues to work for their release and humane treatment. All four are still being held in the Prison Centrale in the capital, Bamako.

UA 22/81 CZECHOSLOVAKIA: Petr Cibulka (EUR 16/02/81 3 January) - Health/Legal Concern

Petr Cibulka, a 30-year-old surveyor and a signatory of the unofficial Czechoslovak human rights movement, Charter 77, who had been imprisoned since April 1978, was sentenced on 27 January 1981 to an additional ten months' imprisonment. He had been adopted by AI as a prisoner of conscience after being sentenced to two years' imprisonment for "incitement".

At the appeal hearing on 12 March 1981 the Regional Court in Plzen did not uphold the 10 months' sentence imposed on Petr Cibulka on 27 January, and he was released unconditionally from prison on 15 April 1981.

UA 33/81 UNITED STATES OF AMERICA: Steve Judy (AMR 51/02/81 12 February) - Death Penalty

Steve Judy, aged 23, was sentenced to death after being convicted of raping and murdering a woman and drowning her three children.

He was executed on 9 March 1981.

An Urgent Action participant received the following reply from the Governor of the State of Indiana:

.../...



"Thank you for your letter concerning Steven Judy's case.

The trial imposed the death sentence in accordance with Indiana's criminal statutes. The Indiana Supreme Court has upheld that sentence after a review which is mandated by law in each case where the death penalty is imposed.

During the last 15 years, the matter of capital punishment has been thoroughly reviewed by the Indiana General Assembly and by both state and federal courts. Existing statutes which allow the imposition of the death sentence result from this very public reappraisal. There is no question that existing law has broad public support in Indiana.

I respect the legal process and believe that any individual sentenced under the death penalty should have adequate opportunity to exhaust any possible judicial remedy. Once that is done, however, I do not believe a governor should intervene. Accordingly, I intend to fulfil my responsibility to uphold the laws of the State of Indiana with respect to Mr Judy.

This has not been a pleasant decision for me to make. I fully recognize the gravity of the situation, but I cannot in good conscience interfere with the court's decision in this case, or in any other involving a heinous crime, where the defendant's full rights have been protected.

Your concern is appreciated and I thank you for sharing your views with me."

UA 37/81 ZAIRE: Msembe Heri (AFR 62/07/81 17 February) - Torture/Legal Concern

Msembe Heri, a 22-year-old student, was arrested on 21 January 1981 in the town of Uvira in the southern Kivu region in eastern Zaire. He was accused of being an intermediary with a guerrilla group and was interrogated and tortured.

AI has now heard that Msembe Heri is no longer in prison.

UA 46/81 EL SALVADOR: Recent arrests and abductions (AMR 29/17/81 25 February) - Fear of Torture/"Disappearance"

AI has heard that one of the people mentioned in this Urgent Action, Juan José Cáceres Hernández, aged 14, is being held in Santa Tecla prison. There has been no news of any of the others.

AI continues to make enquiries about Juan José Cáceres Hernández and the other people mentioned in this Urgent Action.

UA 49/81 ARGENTINA: Dr Emilio Fernán Mignone, Dr José Federico Westerkamp, Boris Pasik, Dr Augusto Conte Mac Donell, Carmen Aguiar de Lapaco, Marcelo Parrilli (AMR 13/03/81 3 March, MAR 13/04/81 9 March) - Legal Concern

On 27/28 February the six human rights workers named above were arrested and taken to the Central Police Headquarters in Buenos Aires. All were members of the human rights organization CELS (Centro de Estudios Legales y Sociales - Centre for Social and Legal Studies) whose offices were raided by plainclothes police on 27 February. On 2 March, it was reported in the Argentinian press that the CELS members would be charged for possession of plans and diagrams of military establishments, under article 224 of the Argentinian penal code.

On 6 March 1981 all six were released. AI learned on 13 May 1981 that they had all been completely acquitted of all the charges against them (*sobrescrido definitivamente*).

The public prosecutor, on the basis of some of the testimonies in the CELS files, has asked a military judge to investigate whether military personnel have committed serious crimes while on active service. He made particular reference to the case of the Argentine diplomat, Elena Holmberg, who was murdered in December 1978, allegedly by personnel from the Escuela Mecánica de la Armada in Buenos Aires.



UA 70/81 COSTA RICA: Israel Marquez, Byron Guanerges, Oscar Zea, Miguel Angel Albizures, Marco Tulio Barrios and one other (AMR 24/02/81 26 March, AMR 24/03/81 10 April) - Fear of refoulement

On 24 March 1981 Six Guatemalan exiles were arrested by the Costa Rican police in San José, Costa Rica. AI was concerned that the six may have been forcibly returned to Guatemala where their lives would have been in grave danger.

On 8 April 1981 the six were expelled from Costa Rica to Nicaragua.

An Urgent Action participant in France received the following reply from the Costa Rican Embassy in Paris:

*"With reference to your letter concerning the arrest of Guatemalan refugees in Costa Rica, the Costa Rican Embassy has the pleasure of informing you of the following:*

*The Supreme Court of Justice dismissed on 6 April 1981 the writ of habeas corpus which was presented following the questioning of Messieurs Marquez, Albizures, Barrera, Ceas, Barrio and Bosque.*

*Consequently, in conformity with article 31 of the Constitution, these people will be sent to a third country, since the Constitution forbids that anyone should be returned to a country where they would face prosecution.*

*The Embassy would like to inform you that those arrested, who were in possession of subversive documents, have violated Costa Rican law.*

*Costa Rica demands that its laws are obeyed and ensures that they are respected.*

*The Costa Rican Embassy would like to take this opportunity to assure you of its highest consideration."*