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Emergency

PARLIAMENTARIANS IN PRISON

16 March 1976

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INTRODUCTION

This document gives the names of 111 parliamentarians in 14 countries, who have been imprisoned, or who have "disappeared" without trace. Almost all are prisoners of conscience, and have been detained in violation of the United Nations Declaration of Human Rights. The majority have not been charged or tried. Some have been tortured.

Since the list only names those cases taken up by Amnesty International for adoption or investigation (investigation cases are marked with an asterisk), it is far from comprehensive. The fact that a country is not included does not mean that no parliamentarians are detained there, but only that such cases have not yet been taken up by, or come to the attention of Amnesty International.

These prisoners were all constitutionally elected members of either national or provincial legislative assemblies. The majority, particularly in India and Indonesia, were still members of parliament at the time of their arrest. Over half the Indian parliamentarians listed have been detained since the declaration of a state of emergency in June 1975. They were all members of the central or state parliaments. Most of the 23 imprisoned Indonesians were also formally members of parliament when arrested. Dismissal orders were not issued until some months following their arrest, and in some cases the person concerned has never received the order.

In other cases, such as Uruguay, Brazil and Singapore, the prisoners are former members of parliament who were arrested either after the dissolution of the legislature or because of their alleged involvement with proscribed political parties. In Chile all the parliamentarians listed were arrested after the September 1973 military coup when the Chilean congress and senate were closed.

The cases of "disappeared" parliamentarians in Latin America are also representative of many similar cases in those countries. Carlos Lorcar Tobar of Chile is only one of nearly 2,000 people who have simply disappeared since the September 1973 military coup. Writs of *habeas corpus* have been presented on behalf of the great majority of these people. However the courts have formally rejected the writs on the grounds that the people named have never been detained or, if they have, they are held under the state of siege legislation which provides for detention without charge or trial.

The Brazilian parliamentarians, Luis Maranhão and Joao Melo, are two of 22 "disappeared" people on whose behalf a parliamentary inquiry has been unsuccessfully requested. Brazilian Minister of Justice Armando Falcão issued a statement in February 1975 denying that these people had been arrested and suggesting that they had been involved in guerrilla activities. This was rejected by the prisoners' families who claim that the information was false.

By compiling this list of Parliamentarians in Prison, Amnesty International is not attempting to judge the merits of any particular parliamentary system of government. It hopes a) to draw attention to the fact that parliamentarians are included among the prisoners of conscience detained throughout the world in violation of their fundamental human rights, and b) to mobilize support for their release.

The parliamentarians listed below are imprisoned in violation of some or all of the following articles of the United Nations Universal Declaration of Human Rights:

article 2: Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

article 5: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

article 9: No one shall be subjected to arbitrary arrest, detention or exile.

article 19: Everyone has the right to freedom of opinion and expression.

article 20(1): Everyone has the right to freedom of peaceful assembly and association.

article 21(1): Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

LIST OF PARLIAMENTARIANS IN PRISON

as at

16 MARCH 1976

ARGENTINA

Enrique ERRO - aged 64; Uruguayan citizen; originally elected a deputy in the Uruguayan congress representing the Uruguayan National Party in 1950, appointed Minister of Industry and Labour in 1959; resigned from the National Party, became a member of one of the parties that formed the coalition *Frente Amplio* (Broad Front) and was elected to the senate in November 1971; at the end of 1972 Senator Erro was one of the most outspoken defenders of political prisoners who then numbered over 7,000; parliament's refusal to withdraw parliamentary immunity from Senator Erro and hand him over to the civil and military authorities led to the dissolution of congress in June 1973; Senator Erro subsequently went into exile in Argentina; arrested 7 March 1975 in Buenos Aires under the provisions of the state of siege which provide for detention without charge or trial; detained in Resistencia Prison, Argentina; allegedly ill with hepatitis; family in exile outside Uruguay.

Pablo OUTES* - former provincial deputy for the Radical Party; arrested November 1974 with 22 other important civil servants in the administration of the ex-governor of Salta, Miguel Ragone, for alleged links with subversive organizations; detained under the provisions of the state of siege which provide for detention without charge or trial; place of detention unknown.

BAHREIN

Mahsen MARHOUN* - former member of parliament, and a lawyer who has defended many political prisoners in the past; arrested 15 December 1975; details of charges unknown; no trial has taken place yet; place of detention unknown, probably Jidda Prison; married with one daughter.

BRAZIL

Marco Antonio Tavares COELHO - former deputy for leftwing Popular Front prior to 1964 coup, member of the central committee of the Brazilian Communist Party, lawyer and journalist; arrested 17 January 1975 with other members of the Communist Party after allegations that the success of the opposition *Movimento Democratico Brasileiro* in the November 1974 election had been due to Communist Party support; detained and charged under article 43 of the Law of National Security, which forbids the re-organization of illegal political parties; tried by a military court on

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15 December 1975 and sentenced to 5 years' imprisonment - although a trained lawyer, Marco Coelho was not allowed to speak on his own behalf at his trial; at an earlier court hearing in September 1975, he gave details of the ill-treatment to which he had been subjected since his arrest; probably detained in Rio de Janeiro; married with children; sentenced in 1966 to 4 years' imprisonment.

Luis Ignacio MARANHÃO - aged 54; former federal deputy, lawyer, university professor, and member of the central committee of the Brazilian Communist Party; disappeared April 1974; one of 22 persons whose families have requested a parliamentary inquiry into their disappearance.

Joao Massena Macera MELO - aged 56; former state deputy for Guanabara and metal worker; disappeared April 1974; one of 22 persons whose families have requested a parliamentary inquiry into their disappearance; has been arrested on at least two previous occasions in 1968 and 1972; married with three children.

CHILE

All the Chilean parliamentarians listed below were arrested after the September 1973 military coup and have been detained under the state of siege legislation which allows for indefinite detention without trial, and permits civilians to be tried under military law.

Armando BARRIENTOS Miranda - aged 55; deputy for Valparaiso province prior to the September 1973 coup, ex-mayor of Viña del Mar, member of the Socialist Party, trade unionist and accountant; originally arrested 12 October 1973, released 17 October 1973, but required to register with the police every week; he was also not permitted to travel outside his home province of Valparaiso; re-arrested 8 July 1975 and held under the state of siege legislation; detained in Puchuncavi Public Prison; married with one son, both his wife and son were detained for short periods and have now been released.

Jose CADEMATORI Invernizzi - aged 45; congressman and Minister of Economy prior to the September 1973 coup, economist, member of the Communist Party; arrested 15 September 1973 and held under the state of siege legislation; charged with "the theft of a car belonging to the Ministry of Finance"; the charge was dismissed by both a lower court and the Santiago Court of Appeal, but the authorities have now appealed to the Supreme Court; trial has not yet taken place; formerly detained on Dawson Island, now in Tres Alamos Prison.

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Luis CORVALAN Lepe - aged 59; secretary general of the Chilean Communist Party; senator prior to the September 1973 coup; arrested 28 September 1973; originally held on Dawson Island until 1974 when he was transferred to a prison in the central zone of the country; he has been held in a number of different detention centers since his arrest, at present in Tres Alamos in Santiago; held under state of siege legislation, but the military junta has announced that they will bring charges against him and he will be tried by a military tribunal; charges not yet known; married with adult children.

Carlos LORCA Tobar* - aged 32; deputy for Valdivia province prior to the September 1973 coup, and a psychiatrist; arrested 25 June 1975 with Carolina WIFF Sepulveda; despite a writ of *habeas corpus* on behalf of Carlos Lorca, both arrests remain unacknowledged by the Chilean authorities; place of detention unknown, but allegedly seen in Cuatro Alamos, the incommunicado section of Tres Alamos prison; probably in poor health, he suffers from ulcers and a blood deficiency; allegedly ill-treated; married with one child.

Erich SCHNACKE Silva - aged 46; deputy and senator prior to the September 1973 coup, member of the Socialist Party and lawyer; arrested 11 September 1973 and held under the state of siege legislation; charged with "high treason and sedition" under the code of military justice; tried by military tribunal in April 1974 and sentenced to 25 years and one day's imprisonment; detained in Valparaiso; severely ill-treated; married with three children.

Andres SEPULVEDA Carmona - deputy for Valparaiso province prior to the September 1973 coup and member of the Socialist Party; arrested immediately after the coup and held under the state of siege legislation; charges unknown; trial has not yet taken place; originally detained on Dawson Island, now in Valparaiso; married.

GHANA

Joseph Henry MENSAR* - former member of parliament and businessman; detained from January 1972 until July 1973 following the overthrow of Ghana's last civilian government, in which he was Minister of Finance; re-arrested September 1975 and charged with "sedition" related to his alleged authorship of a pamphlet sharply critical of the military government's economic policies; sentenced in November 1975 to 8 years' imprisonment with hard labour; at present appealing against his sentence; place of detention unknown.

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Ibrahim Codjoe QUAYE*- member of parliament for the Accra area from 1969 to 1972; detained without trial following the military coup of January 1972 which overthrew Ghana's last civilian government; released, but re-arrested in September 1975 and charged with "abetment of sedition" for having allegedly aided former Minister of Finance Joseph Henry Mensah (see above), in the production of a pamphlet sharply critical of the military government's economic policies; sentenced in November 1975 to 5 years' imprisonment; at present appealing against his sentence; place of detention unknown.

INDIA

The 59 parliamentarians listed below are members of either the Lok Sabha or the Rajya Sabha (the lower and upper houses of the Indian parliament respectively), or of the state legislative assemblies. They were arrested on or after 26 June 1975 when the Indian government declared a state of emergency to "safeguard unity and stability". Although a state of emergency had been in force since the 1971 Bangladesh war, the new declaration imposed total press censorship, and suspended all fundamental rights.

Estimates of the number of political prisoners presently detained vary widely. Although some independent observers claim that as many as 120,000 prisoners are being detained for political reasons, it is certain that at least 30,000 prisoners are currently held without trial under the Maintenance of Internal Security Act (MISA) and the Defence of India Rules. Those arrested include leaders and members of the Congress (opposition) Party, the Jana Sangh Party, the Bharatiya Lok Dal (Indian People's Party), the Socialist Party and the Communist Party of India (Marxist), all of which took part in a campaign to remove Prime Minister Indira Gandhi from office following her conviction on corruption charges before the Allahabad High Court. There are also dissident members of the ruling Congress Party and Gandhian workers among those arrested.

An executive order was issued on 27 June 1975 by President Fakhruddin Ali Ahmed depriving prisoners arrested under the emergency of their fundamental rights, as guaranteed in the Indian constitution, to seek their release from courts. The following constitutional safeguards were suspended by the order:

- article 14 - equality before the law
- article 21 - the protection of life and property of a citizen
- article 22 - protection against arrest and detention without being informed of the grounds for arrest
 - the duty of the arresting authority to produce the arrested persons before a magistrate within 24 hours of arrest.

In January 1976, a presidential ordinance suspended article 19 of the constitution which upholds freedom of speech, expression and the right to peaceful assembly and association.

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The Maintenance of Internal Security Act, under which all these prisoners are held, has also been amended. Political prisoners do not have the right to be informed of the grounds for their arrest for a period of 12 months. The authorities need only be satisfied that detention is necessary for "dealing effectively with the emergency". Appeals cannot be made in the courts, and the existing safeguards for review of preventive detention cases by an independent advisory board no longer apply to the first 12 months of detention. Clauses which prohibit the imposition of solitary confinement on prisoners held in preventive detention have also been removed. On expiry of the term of detention, or on release by the courts, a detainee may be re-arrested immediately on the original grounds for his arrest.

V.S. ACHUTHANANDAN - member of the legislative assembly for Aleppy, and a member of the state committee of the Communist Party of India (Marxist-Leninist); arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Lal K. ADVANI - member of the *Rajya Sabha* for New Delhi state and leader of the *Jana Sangh* Party; arrested 26 June 1975; detained under the Maintenance of Internal Security Act; held in Bangalore Jail.

S.C. ANGRE - member of the *Rajya Sabha*; arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

H. BAHINIPATHY - former speaker of the Orissa legislative assembly and member of the Socialist Party; arrested shortly after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Bhagabat BEHAR - member of a legislative assembly, and of the Socialist Party; arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Sarla BHADORIA - member of a legislative assembly, and of the *Bharatiya Lok Dal*; arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Bhagirath BHANWAR - member of the *Lok Sabha*, and of the *Bharatiya Lok Dal*; arrested 26 June 1975; held under the Maintenance of Internal Security Act; detained in the District Jail in Indore, Madhya Pradesh.

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Soneswar BORA - member of the legislative assembly of Assam and of the Socialist Party; arrested shortly after the June 1975 state of emergency declaration; detained under the Maintenance of Internal Security Act; place of detention unknown, probably in Assam.

J.P. BOSE - member of the legislative assembly, and member and former secretary of the Uttar Pradesh branch of the Socialist Party; arrested shortly after the June 1975 state of emergency declaration; detained under the Maintenance of Internal Security Act; place of detention unknown, possibly in Uttar Pradesh.

Jyotirmoy BOSU - member of the *Lok Sabha* for West Bengal; deputy leader of the Communist Party of India (Marxist) (CPI(M)) and leader of the CPI(M) parliamentary delegation; arrested 9 July 1975; held under the Maintenance of Internal Security Act; originally detained in Tihar Jail where he was kept in solitary confinement; he was transferred to hospital because of poor health following an appeal to the High Court against his detention conditions; subsequently detained in Hissar Jail, Haryana; now detained in Calcutta where he was allowed to attend his father's funeral; the Calcutta High Court have ruled that he remain in Calcutta for medical treatment; married with one son.

P.K. CHANDRANANDAN - member of a legislative assembly for Aleppy, and member of the state committee of the Communist Party of India (Marxist-Leninist); arrested after the June 1975 declaration of a state of emergency; held under the Maintenance of Internal Security Act; place of detention unknown.

Madhu DANDAVATE - member of the *Lok Sabha* for Maharashtra of the Socialist Party; arrested June 1975; held under the Maintenance of Internal Security Act; detained in Bangalore Jail; married - his wife has also been detained since June 1975.

Morarji DESAI - aged 80; member of the *Lok Sabha* and former deputy prime minister; leader of the opposition Congress Party; one of the most outspoken critics of Prime Minister Indira Gandhi, he headed the "People's Struggle Committee" which was to supervise a campaign of civil disobedience as part of Jaya Prakash Narayan's anti-corruption campaign; arrested 26 June 1975; held under the Maintenance of Internal Security Act; held in solitary confinement in a state hotel in Haryana; was denied visits by his family until 17 August 1975 and on 29 October 1975 the New Delhi High Court overruled government orders preventing friends and lawyers from visiting or corresponding with him.

Ram DHAN - member of the *Lok Sabha* for West Bengal, and secretary of the parliamentary Congress Party; arrested 26 June 1975; held under the Maintenance of Internal Security Act; detained in Rohtak Jail, Haryana.

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Mohan DHARIA - member of the *Lok Sabha* for Maharashtra, and member of the Congress Party; arrested mid-December 1975; held under the Maintenance of Internal Security Act; probably detained in Nasik Jail, Maharashtra.

Samar GUHA - member of the *Lok Sabha* for West Bengal, and leader of the Socialist Party; arrested June 1975; held under the Maintenance of Internal Security Act; detained in Rohtak Jail, Haryana.

Gadadhar GIRI - member of a legislative assembly, and of the Socialist Party; arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Mrs Mrinal Kashan GORE - aged 48; member of the national committee of the Socialist Party and member of the legislative assembly of Maharashtra for the Socialist Party; arrested 21 December 1975; held under the Maintenance of Internal Security Act; detained in the District Prison in Akola, Maharashtra; she is held alone in a barrack in the prison's female ward.

Noorul HUDA - member of the *Lok Sabha* for Assam, and member of the Communist Party of India (Marxist); arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Dinesh JOARDER - member of the *Lok Sabha* for Malda, West Bengal, and member of the Communist Party of India (Marxist); arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Jaganathrao JOSHI - member of the *Lok Sabha* for Shajapur, Madhya Pradesh, and member of the *Jana Sangh* Party; arrested shortly after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; detained in Tihar Jail, New Delhi.

Hukam Chand KACHWAI - member of the *Lok Sabha*, and member of the *Jana Sangh* Party; arrested 26 June 1975; held under the Maintenance of Internal Security Act; detained in Central Gwalior, Madhya Pradesh.

Purshottam KAUSHIK - member of the legislative assembly of Madhya Pradesh and chairman of the Madhya Pradesh branch of the Socialist Party; arrested shortly after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown, probably in Madhya Pradesh.

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Ram KISHAN - member of the legislative assembly of Rajasthan and member of the Socialist Party; arrested shortly after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown, probably in Rajasthan.

Virendra KUMAR - member of the *Lok Sabha*, and member of the *Jana Sangh* Party; arrested 28 June 1975; held under the Maintenance of Internal Security Act; detained in Central Jail, Indore.

S.K. KURDU - former member of the *Lok Sabha* and member of the Socialist Party; arrested shortly after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

A.P. KURYAN - member of the legislative assembly of Kerala for Ernakulam, and member of the Communist Party of India (Marxist); arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Hardivari LAL - member of the legislative assembly of Haryana; arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Ram LAL - member of the legislative assembly of Haryana and of the *Jana Sangh* Party; arrested 26 June 1975; held under the Maintenance of Internal Security Act; place of detention unknown.

Madhu LIMAYE - member of the *Lok Sabha* for Bihar and of the Socialist Party; arrested 26 June 1975; held under the Maintenance of Internal Security Act; detained in Jaipur Jail, Rajasthan.

S.N. MISHRA - member of the *Lok Sabha* for Bihar, and member of the opposition Congress Party; arrested 27 June 1975; held under the Maintenance of Internal Security Act; detained in Bangalore Jail.

Jeneshwar MISRA - member of the *Lok Sabha* for Allahabad, Uttar Pradesh, and member of the *Bharatiya Lok Dal*; arrested 26 June 1975; held under the Maintenance of Internal Security Act; detained in Central Jail in Naini, Allahabad.

Piloo MOODY - aged 48; member of the *Lok Sabha*, a leader of the *Swatantra* Party and general secretary of the *Bharatiya Lok Dal*; arrested 26 June 1975; detained in Rohtak Jail, Haryana.

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Laxminarayan NAIK - member of a legislative assembly, and of the Socialist Party; arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Raj NARAIN - member of the *Rajya Sabha* and member of the Socialist Party; he successfully brought charges of election malpractice against Prime Minister Indira Gandhi in 1975, which contributed eventually to the declaration of a state of emergency on 26 June 1975; arrested 26 June 1975; held under the Maintenance of Internal Security Act; detained in Tihar Jail, New Delhi, where it has been reported that he and several other political prisoners went on hunger strike in October 1975 to protest against the ill-treatment and beating of political prisoners.

Laxminarain PANDEYA - member of the *Lok Sabha* for Mandsaur, Madhya Pradesh, and member of the *Jana Sangh* Party; arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Biju PATNAIK - member of the legislative assembly of Orissa and of the *Bharatiya Lok Dal*; arrested 26 June 1975; held under the Maintenance of Internal Security Act; detained in Rohtak Jail, Haryana.

Rabi RAY - member of the *Rajya Sabha* for Orissa and member of the Socialist Party; arrested June 1975; held under the Maintenance of Internal Security Act; detained in Tihar Jail, New Delhi.

Virendra Kumar SAKHALECHA - member of the *Rajya Sabha* for Madhya Pradesh, and member of the *Jana Sangh* Party; arrested 28 June 1975; held under the Maintenance of Internal Security Act; detained in Central Jail, Indore, Madhya Pradesh.

Jagannath SEIN - former member of the legislative assembly of Haryana; arrested 26 June 1975; held under the Maintenance of Internal Security Act; place of detention unknown.

Mangal SEIN - former member of the legislative assembly for Haryana; arrested 26 June 1975; held under the Maintenance of Internal Security Act; detained in Rohtak Jail, Haryana.

Chandra SEKHAR - member of the *Lok Sabha* and of the working committee of the ruling Congress Party; arrested 26 June 1975; held under the Maintenance of Internal Security Act; detained in Patiala Jail, Punjab, allegedly in solitary confinement.

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Ugra SEN - former member of a legislative assembly, and chairman of the Uttar Pradesh unit of the Socialist Party; arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Bhairon Singh SHAIKHAWAT - member of the Lok Sabha, and member of the Jana Sangh Party; arrested 26 June 1975; held under the Maintenance of Internal Security Act; detained in Sariska Jail, Alwar, Rajasthan.

Mahadeepak Singh SHAKYA - member of the Lok Sabha for Uttar Pradesh, and member of the Jana Sangh Party; arrested 2 July 1975; held under the Maintenance of Internal Security Act; detained in District Jail, Kota, Rajasthan.

Mahadeepak Singh SHARYA - member of the Lok Sabha, and member of the Jana Sangh Party; arrested 2 July 1975; held under the Maintenance of Internal Security Act; detained in the District Jail, Kota, Rajasthan.

Ram Rattan SHARMA - member of the Lok Sabha, and member of the Jana Sangh Party; arrested 2 July 1975; held under the Maintenance of Internal Security Act; detained in the District Jail, Banda, Uttar Pradesh.

Balbir SINGH - member of the legislative assembly of Punjab, and member of the Socialist Party; arrested 26 June 1975; held under the Maintenance of Internal Security Act; place of detention unknown.

Dal SINGH - member of the legislative assembly of Haryana and member of the Bharatiya Lok Dal; arrested 26 June 1975; held under the Maintenance of Internal Security Act; possibly detained in Rohtak Jail, Haryana.

Mukhtiar SINGH (Malik) - member of the Lok Sabha of Haryana and member of the Jana Sangh Party; arrested 26 June 1975; held under the Maintenance of Internal Security Act; detained in Ambala Jail, Haryana.

Narendra SINGH - member of the Lok Sabha for Madhya Pradesh and member of the Jana Sangh Party; arrested 20 July 1975; held under the Maintenance of Internal Security Act; place of detention unknown.

K.A. SIVARAMABHARATHY - member of a legislative assembly, and member of the national committee of the Socialist Party; arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

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B. TALUKDAR - member of the legislative assembly of Assam and member of the Socialist Party; arrested shortly after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown, but probably in Assam.

G.S. TOHRA - member of the *Rajya Sabha*; arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Mahadeo Prasad VERMA - member of the *Rajya Sabha*; arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Phool Chand VERMA - member of the *Lok Sabha* for Madhya Pradesh, and member of the *Jana Sangh* Party; arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Fateh Singh VIJ - former member of the legislative assembly of Haryana; arrested 26 June 1975; held under the Maintenance of Internal Security Act; detained in Ambala Jail, Haryana.

Pinari VIJAYAM - member of the legislative assembly of Kerala for Coimbatore, and member of the Communist Party of India (Marxist); arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

Sharad YADAV - member of the *Lok Sabha* for Madhya Pradesh, and a member of the Socialist Party; arrested after the June 1975 state of emergency declaration; held under the Maintenance of Internal Security Act; place of detention unknown.

INDONESIA

The Indonesian parliamentarians listed below, with the exception of Achmadi Hadisumarto, Oei Tju Tat and Dr Subandrio, have been held in detention without trial under the Presidential Decree Number 5 (1969). This decree empowers the Army Command for the Restoration of Security and Order, *KOPKAMTIB*, to detain indefinitely without trial those suspected of involvement in the attempted coup on 30 September 1965. Most of them have been in prison since the end of 1965.

Those who were arrested in 1965 were still members of parliament. Dismissal orders were not issued until some months later and in some instances have never been officially conveyed to the person in question. The majority of those listed below were elected to parliament in the first Indonesian general elections in 1955. A few became members after 1960 when the president appointed additional members of parliament to represent functional groups in society.

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The majority were arrested because of their links with the Indonesian Communist Party (PKI), *Sentral Organisasi Buruh Seluruh Indonesia (SOBSI)*, the communist federation of trade unions and its affiliated unions, *Barisan Tani Indonesia (BTI)* the peasants organization, or *Gerakan Wanita Indonesia (GERWANI)* the women's organization, all of which were legal organizations until they were proscribed after the 1965 attempted coup.

ARMUNANTO - aged about 58; member of parliament, and Minister of Mining until the time of his arrest, former Indonesian ambassador to Czechoslovakia, journalist and leading member of *PARTINDO*, the leftwing nationalist Indonesian party; arrested with 13 other cabinet members, who supported President Sukarno, in March 1966 immediately after former President Sukarno handed over effective power to President Suharto; detained in Nirbaya Detention Camp.

Achamad ASTRAWINATA - elected member of parliament in 1955 with Indonesian Communist Party support, Minister of Justice from December 1963 until the time of his arrest, and a lawyer; arrested with 13 other cabinet members, who supported President Sukarno, in March 1966 immediately after former President Sukarno handed over effective power to President Suharto; probably detained in Nirbaya Detention Camp.

DAHLIAR - aged about 53; elected member of parliament in 1955, and also member of the constituent assembly, a leading member of *Barisan Tani Indonesia*, and formerly a teacher of religion and Koran incantation; arrested October 1965 with other women members of parliament after they had protested about the destruction of their homes and other acts of violence; detained in Plantungan Women's Detention Camp married.

Achmadi HADISUMARTO - aged 49; member of parliament, Minister of Information at the time of his arrest, and former army officer; arrested with 13 other cabinet members, who supported President Sukarno, in March 1966 immediately after former President Sukarno handed over effective power to President Suharto; originally charged with committing "a criminal act of subversion" in connection with his attempts to win support for *Barisan Sukarno* (Sukarno Corps) following an appeal by President Sukarno for the people to rally behind him to stop the violent conflict which followed the 1965 coup attempt; tried early in 1967 by the special Jakarta Court which declared this charge unproven - he was instead found guilty of "inciting others to oppose the government criminally" under article 160 of the criminal code and sentenced to 6 years' imprisonment; re-tried by the High Court to which he had appealed against his sentence, found guilty of "subversion" and sentenced to 12 years' imprisonment; his appeal in early 1972 to the Supreme Court was rejected; detained in Cipinang Prison.

Sjamsul Hadi KASTARI - aged 55; elected member of parliament in 1955, member of the film workers trade union *SARBUKIS*, former secretary general of the East Java branch of *Sentral Organisasi Buruh Seluruh Indonesia (SOBSI)* and member of the SOBSI presidium; arrested in October 1965; detained in Salemba Prison.

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Kartinah KURDI - aged about 53; appointed to parliament in 1960 representing the *Barisan Tani Indonesia*, a member of *Gerakan Wanita Indonesia* which she helped to establish and build up; arrested October 1965 with other women members of parliament after they had protested about the destruction of their homes and other acts of violence following the coup; detained in Bukit Duri Prison; married with nine children.

Eddy Abdurachman MARTALOGAWA - aged 46; elected member of parliament in 1955 representing the Indonesian Communist Party (PKI) and member of the foreign affairs commission; arrested October 1965; detained on Buru Island, where he was transferred after four years in Salemba Prison; previously imprisoned in 1948 for 7 months for his activities in the pupil's organization, IPPI, and after independence remained active in the student youth movement and in the Indonesian peace movement.

Siti MUDIGDIO - aged 72; member of the provisional parliament in 1945, elected member of parliament in 1955 representing the Indonesian Communist Party (PKI), played an active part in the parliamentary commission for justice and internal security; vice-chairman of *Gerakan Wanita Indonesia* at the time it was banned, she had played an active part in its foundation and development; arrested October 1965 with other women members of parliament after the destruction of their homes; detained in Bukit Duri Prison; before independence she was active in defending civil rights and in the rehabilitation of prisoners held during 1945-1949.

OEI Tju Tat - aged 54; member of parliament, Minister without Portfolio at the time of his arrest, and a lawyer; arrested with 13 other cabinet members, who supported President Sukarno, in March 1966 immediately after former President Sukarno handed over effective power to President Suharto; currently on trial (charges unknown); detained in Nirbaya Detention Camp; married with three children.

Ferdinand RUNTURAMBI - aged 58; elected member of parliament in 1955 with Indonesian Communist Party (PKI) support, member of parliamentary economic affairs commission, and a member of the group of independent progressives in parliament, active trade unionist, former secretary general of the Union of Public Works Employees and vice-chairman of *Sentral Organisasi Buruh Seluruh Indonesia*; arrested October 1965; detained on Buru Island, where he was transferred after 4 years in Salemba Prison; he had been active in the independence movement, and was imprisoned by the Japanese during World War II.

Charlotte SALAWATI - aged 66; elected member of parliament in 1955, and member of the constituent assembly, member of the internal security commission of parliament, deputy chairman of *Gerakan Wanita Indonesia*, member of the Indonesian Communist Party (PKI), teacher and a midwife; arrested October 1965 with other women members of parliament after the destruction of their homes following the attempted coup; detained in Bukit Duri Prison; prior to Indonesian independence (1949) she was banned from teaching because of her outspoken nationalist views; after independence elected mayor of Makassar - she was the first woman to be elected to such a post in Indonesia.

THIS LIST IS CORRECT AS AT 16 MARCH 1976

Uniharti SARDJONO - aged 53; elected member of parliament in 1955 with Indonesian Communist Party (PKI) support, member of the PKI presidium in 1959; chairman of *Gerakan Wanita Indonesia* until the organization was banned in 1965, she had played an active part in its foundation and development; arrested October 1965 with other women members of parliament after their homes had been destroyed; detained in Bukit Duri Prison; imprisoned for several months by the Japanese in 1945; an organizer of the resistance to Dutch military action during 1945-1949.

SETIADI Reksoprodjo - aged 54; elected member of parliament in 1955, and also member of the constituent assembly, later appointed Minister of Electrical Energy and Power, a post which he held until his arrest, with all other leftwing and pro-Sukarno ministers, in March 1966 when former President Sukarno was forced to hand over effective power to President Suharto; detained in Nirbaya Detention Camp.

Richard Paingot SITUMEANG - aged 57; elected member of parliament in 1955 representing the Indonesian Communist Party, active trade unionist, former secretary general of PERBUM, the oilworkers trade union, and a member of the national council of *Sentral Organisasi Buruh Seluruh Indonesia*, also a member of the administrative committee of the International Oil and Chemical Workers' Union; arrested October 1965; detained on Buru Island.

SUBANDRIO - aged 61; member of parliament, deputy prime minister and foreign minister at the time of his arrest, appointed first Indonesian ambassador to the United Kingdom in 1950, and subsequently the first Indonesian ambassador to the Soviet Union in the mid-1950s, secretary general of the Indonesian foreign ministry in 1957, and a member of the Indonesian Nationalist Party, which he left following a government regulation banning civil servants from being members of political parties; arrested March 1966 immediately after former President Sukarno handed over effective power to President Suharto; tried October 1966 on charges of subversion under the Anti-Subversion Law (1963) Number 11, and sentenced to death; his appeal for clemency is still under consideration; detained in Nirbaya Detention Camp; both his wife and his son died in March and April 1974 while he was in detention.

SUDOJO - aged 58; elected member of parliament in 1955 representing the Indonesian Communist Party (PKI), and member of the PKI central committee, active trade unionist - he helped build up the Sugar Workers' Union and became a member of the leading councils of *Sentral Organisasi Buruh Seluruh Indonesia*; arrested at the end of 1965; detained either in Salemba Prison or on Buru Island; sentenced to life imprisonment during the Japanese occupation of Indonesia when he was active in the underground movement.

SUHARTI Warsa Sampir - aged about 51; elected member of parliament in 1955, also member of the constituent assembly, a leading member of the Indonesian Communist Party and *Sentral Organisasi Buruh Seluruh Indonesia*, and a teacher; escaped arrest immediately after the 1965 attempted coup and spent several years living in the outskirts of Jakarta teaching Koran incantation; arrested at the end of 1967 with her husband; detained in Bukit Duri Prison.

THIS LIST IS CORRECT AS AT 16 MARCH 1976

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Mrs Abdul Rachman SUNDARI - aged about 59; elected member of parliament in 1955 representing the Indonesian Communist Party (PKI), and member of the constituent assembly; escaped arrest immediately after the 1965 attempted coup by going to South Sumatra where she helped reorganize the PKI; arrested in 1969 and held for several months in solitary confinement in Lampong; detained without trial in Bukit Duri Prison, although she is one of the few prisoners who has been told she is awaiting trial.

Karel SUPIT - aged 59; elected member of parliament in 1955 representing the Indonesian Communist Party (PKI), head of the PKI international department and member of the Indonesian delegation to the United Nations General Assembly in 1963, an active trade unionist, he was a founding member of *Sentral Organisasi Buruh Seluruh Indonesia*; arrested October 1965; detained on Buru Island.

S.H. SUPRAPTO - aged 61; elected member of parliament in 1955 with Indonesian Communist Party support, an active trade unionist, he had played a leading role in the formation of several trade unions, a member of *Sentral Organisasi Buruh Seluruh Indonesia*, a vice chairman of the Indonesian Scholars Association, a professor of law at Padjadjaran University in Bandung and a lawyer well-known for defending workers and peasants; arrested October 1965; originally detained in a prison in Jakarta, he was transferred to Buru Island at the age of 54 despite official pronouncements that only able-bodied detainees under 45 would be moved there; married with seven children.

Taher THAJEB - aged about 66; elected member of parliament in 1955 representing the Indonesian Communist Party (PKI), PKI representative on the state planning board, senior official in the ministry of public works until the early 1960s when he resigned from his position following a ban on civil servants being members of political parties, engineer; arrested October 1965; detained in Salemba Prison.

TJOO Tik Tjoen - aged 55; member of parliament between 1956 and 1963, and member of the Indonesian Communist Party; arrested 24 December 1965; detained on Buru Island; married with nine children.

Gde WINAYA - aged about 50; member of parliament and senior civil servant; he was dismissed from his post in the department of cooperatives and transmigration immediately after the 1965 attempted coup, and arrested shortly afterwards in October 1965, probably because of his association with generally leftwing development policies in parliament and the fact that he had studied in Czechoslovakia; detained on Buru Island.

KENYA

Two of the parliamentarians listed below, John Marie Seroney and Martin Shikuku, are leading critics of the government. Both were members of a parliamentary committee inquiring into the death of a prominent politician and critic of the government, J.M. Kariuki. Martin Shikuku had also been chairman of a parliamentary committee inquiring into corruption in the government in June 1975.

THIS LIST IS CORRECT AS AT 16 MARCH 1976

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On 16 October 1975, a day after the arrest of Mr Seroney and Mr Shikuku in the parliament buildings in Nairobi, President Kenyatta called a meeting of all parliamentarians and warned them he would not tolerate further criticism.

John Marie SERONEY - member of parliament and lawyer; arrested 15 October 1975 in the parliament building in Nairobi because of his consistent criticism of government policy; detained under the Preservation of Public Security Regulations which provide for indefinite detention without charge or trial; place of detention unknown.

Martin SHIKUKU - member of parliament; arrested 15 October 1975 in the parliament building in Nairobi because of his consistent criticism of government policy; detained under the Preservation of Public Security Regulations which provide for indefinite detention without charge or trial; place of detention unknown.

Wasonga SIJEYO - aged 54; member of parliament, and member of the opposition Kenya People's Union (KPU), now banned; arrested 27 October 1969 after disturbances following a visit by President Kenyatta to the town of Kisumu, after which the KPU was banned; held under the Preservation of Public Security Regulations which provide for indefinite detention without charge or trial; detained in Kamiti Prison; married with 11 children.

PAKISTAN

The following four prisoners, who were all members of either the national assembly or the Baluchistan provincial assembly, were also leading members of the opposition National Awami Party (NAP), which came to power in Baluchistan in 1972. Its demands for greater autonomy for Pakistan's four provinces resulted in the dismissal of the NAP government by the federal government in February 1973.

When the NAP leadership pressed their demands with threats of non-violent civil disobedience actions in the summer of 1973, they were arrested. Three of them have not yet been brought to trial, while Gul Khan Nasir has been tried on charges unconnected with the reasons for his arrest.

Mir Ghaus Baksh BIZENJO - member of the national assembly, leader of the opposition National Awami Party (NAP) in Baluchistan, and governor of Baluchistan until the NAP government of Baluchistan was dismissed in February 1973; arrested 16 August 1973 in Islamabad; precise charges unknown, but reportedly held under sections of the penal code; trial has not yet taken place; currently detained in Hyderabad Central Jail; on hunger strike in June 1975 to protest against denial of visits by relatives and the fact that he was not receiving any mail.

THIS LIST IS CORRECT AS AT 16 MARCH 1976

Khair Baksh MARRI - member of the provincial assembly of Baluchistan, and president of the opposition National Awami Party (NAP) in Baluchistan; arrested 16 August 1973 and held under the Defence of Pakistan Rules which provide for detention without trial, and under various sections of the penal code; precise charges unknown; trial has not yet taken place; place of detention unknown, but probably near Quetta; on hunger strike in June 1975 to protest against the denial of visits by relatives and the fact that he was not receiving any mail.

Sardar Attaullah Khan MENGAL - a leader of the opposition National Awami Party (NAP) in Baluchistan, and chief minister of the Baluchistan provincial assembly until the NAP government of Baluchistan was dismissed in February 1973; arrested 16 August 1973 and held under the Defence of Pakistan Rules, which provide for detention without trial, the Prevention of Corruption Act and the penal code; trial has not yet taken place; detained in Karachi Central Jail although he has a heart condition and had to be transferred to hospital in August 1975; married with children.

Gul Khan NASIR - a leader of the opposition National Awami Party (NAP) in Baluchistan, and Minister of Education in the provincial assembly of Baluchistan until the NAP government of Baluchistan was dismissed in February 1973; arrested August 1973; originally sentenced to 25 years' imprisonment, but the charges (precise details unknown) were withdrawn during negotiations for a settlement of the Baluchistan problem; subsequently charged with "alleged rioting in jail" for which he was sentenced to 3 or 4 years' (precise details unknown) imprisonment on 21 January 1974 - this conviction was declared "unlawful and of no effect" by the Sind and Baluchistan High Court in March 1974; reportedly re-tried and sentenced to 5 years' rigorous imprisonment plus a fine of 1,000 rupees on 10 February 1975 for "creating violence inside the Central Jail, Mach, destroying official property and causing injuries to jail employees" three years previously; place of detention unknown, probably Quetta Jail.

PHILIPPINES

Benigno AQUINO - aged 42; former senator and widely regarded as President Ferdinand Marcos's main rival in the presidential elections which should have been held in November 1973, but have now been postponed indefinitely; secretary general of the Liberal Party; arrested 23 September 1972, a few hours after martial law was proclaimed; charged with "subversion, murder and illegal possession of firearms"; trial before a military tribunal began on 31 March 1975 but was suspended on 8 April 1975 after he sent an "urgent motion", questioning the legality of his trial, to the Supreme Court; his lawyer had previously complained that, after an article by Mr Aquino was published outside the Philippines in March 1973, he was unable to consult his client without the presence of guards and that the room was bugged with mechanical listening devices; in April 1975, he went on a 40-day hunger strike in protest against his trial by military tribunal; detained in Fort Bonifacio; married with children.

THIS LIST IS CORRECT AS AT 16 MARCH 1976

NEPAL

An amnesty for political prisoners in Nepal was announced on 29 December 1975. Amnesty International has, however, not yet received confirmation of the release of this prisoner.

Bodha Prasad UPDHYAYA* - aged 55; former member of the upper house of parliament, and an active supporter of the banned Nepalese Congress Party; he went into exile in 1960 after the dissolution of the Nepali parliament, returning to Nepal in 1962; since then he has been arrested frequently, because of his continued opposition to the policies of King Birendra Bir Bikram Sham Dev, and held under the Security Act which provides effectively for indefinite detention without trial; he was released each time on medical grounds due to his failing health; most recently arrested January/February 1972 under the Security Act probably because he had been holding small informal meetings to discuss Nepali politics and the restoration of democracy; detained in Nakkhu Jail; married.

SINGAPORE

CHIA Thye Poh - aged about 37; leading member of the *Barisan Sosialis*, formerly the major leftwing opposition party, and editor of its newspaper, the *Chern Sien Pau*; member of parliament until October 1966 when he and all other *Barisan* members of parliament resigned in protest against the restrictions imposed on the opposition by the government; arrested 30 October 1966 because of his active opposition to the government and alleged involvement with the Malayan Communist Party; held under the Internal Security Act which effectively provides for indefinite detention without trial; detained in Moon Crescent Center, a special wing of Changi Prison.

LEE Tze Tong - aged 44, born in China; member of parliament representing the *Barisan Sosialis*, formerly the major leftwing opposition party, an ex-bus worker and official of the Singapore Busworkers' Union (now banned); arrested October 1963 shortly after his election to parliament; exact grounds for his arrest unknown, but many other members of the *Barisan Sosialis* and other leftwing organizations were detained in 1963 because of their opposition to the proposed terms under which Singapore was to merge with the Federation of Malaysia (Singapore withdrew from the Federation in 1965); held under the Internal Security Act which effectively provides for indefinite detention without trial; in 1968 a banishment order was served on him (he has no documentary proof that he is a Singapore citizen) but he has refused deportation to the People's Republic of China and is still detained in Queenstown Remand Prison awaiting deportation; Mr Lee was released in 1967 after a successful *habeas corpus* action on the grounds that his detention order was invalid for technical reasons, but was immediately re-arrested.

* Names marked with an asterisk are not yet adopted as prisoners of conscience but are under investigation.

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TANZANIA

Otini KAMBONA - former member of the national assembly and newspaper editor; arrested December 1967, released February 1972 and re-arrested 12 June 1972; held under the Preventive Detention Act (1962) which provides for indefinite detention without charge or trial; detained in Butimba Prison; poor health; married with children.

URUGUAY

Alberto ALTESOR - aged over 60; former deputy in the Uruguayan congress prior to its dissolution on 27 June 1973 and a leader of the Uruguayan Communist Party which was banned in December 1973; arrested 21 October 1975; detained either under the emergency legislation or the Law of National Security which brings civilians under military justice; charges unknown; held incommunicado; place of detention unknown; very poor health, he was recovering from a heart operation when he was arrested; married, three sons previously imprisoned and two of them tortured.

Jose Luis MASSERA - aged 60; former deputy in the Uruguayan congress prior to its dissolution on 27 June 1973, leading member of the Uruguay Communist Party which was banned in December 1973, and a well-known mathematician; arrested October/November 1975; probably detained under the Law of National Security which brings civilians under military justice; charges unknown; detained in the Military Hospital in Montevideo with a broken pelvis after alleged ill-treatment following his arrest; married with two children; his wife, Marta Valentina, was subsequently arrested for agitating for his release, and his daughter and her husband have been detained at least once previously and tortured before release.

Jaime PEREZ - aged about 45; former deputy in the Uruguayan congress prior to its dissolution on 27 June 1973, former secretary general of the Uruguayan Communist Party; arrested 25 October 1974 and charged under the Law of National Security, which brings civilians under military justice, with "offences against the morale of the Armed Forces" (*agravios a la fuerza moral de las fuerzas armadas*); tried February 1975 and sentenced to 18 months' imprisonment; allegedly severely ill-treated; detained in Punta Carretas Prison from where he was transferred to an unknown detention center in February 1976 - there are renewed fears that he is being ill-treated.

THIS LIST IS CORRECT AS AT 16 MARCH 1976