

**Parliamentarians
in prison**

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LIST OF PARLIAMENTARIANS IN PRISON
as of 31 July 1977

INTRODUCTION

This document gives the names of 62 parliamentarians in 18 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 have all served as constitutionally elected members of either national or provincial assemblies. Many - for instance those arrested in Indonesia in late 1965 - were still members of parliament at the time of their arrest. Some, such as J M Seroney, Martin Shikuku, and George Anyona of Kenya, were arrested as a direct result of their activities in Parliament. Others are former members of ruling parties arrested after the governments of which they formed a part were overthrown by unconstitutional means. In some cases - such as those of Bernardo Araya Zuleta and Vicente Atencio Cortes of Chile - the victims have simply disappeared, the authorities refusing to acknowledge their arrest and detention.

In compiling this list of Parliamentarians in Prison, Amnesty International is not attempting to judge the merits of any particular parliamentary system of government. Amnesty International seeks 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 to mobilize support for their release.

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BAHREIN

Muhsin MARHOUN - former member of parliament, and a lawyer who has defended many political prisoners in the past; arrested 15 December 1975; he has not been charged and no trial has taken place; he is detained at Safra 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 Democrático 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 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.

CHILE

Bernardo ARAYA ZULETA - aged 67; a former member of parliament and a prominent trade union leader who was the first secretary of the Central Unica de Trabajadores (Single Central Chilean Trade Union). He and his 61 year old wife, Maria Olga Flores Barraza de Araya were arrested at their home in the town of Quinteros, Province of Valparaiso on 2 April 1976. The arrest was carried out by officials of DINA (Dirección Nacional de Inteligencia) and the house was thoroughly searched at the time of the arrest, although no warrant was shown. A writ of habeas corpus was presented on the couple's behalf but the response of the Chilean authorities stated that they had never been detained. Other members of Sr Araya's family arrested at the same time and later released, have witnessed Sr Araya being tortured. The present whereabouts of Bernardo Araya Zuleta and Maria Olga Flores Barraza de Araya is unknown.

Vicente ATENCIO CORTES - aged 48; deputy for the province of Arica representing the Chilean Communist Party and a prominent trade unionist prior to the 1973 coup. He was arrested on 11 August 1976 while travelling from his home to work in Valparaiso. The detention has not been acknowledged by the Chilean authorities despite the writ of habeas corpus that has been presented on his behalf. He is married with four children.

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CHILE (continued)

Carlos LORCA Tobar^x - aged 33; 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. Probably in poor health, he suffers from ulcers and a blood deficiency; allegedly ill-treated; married with adult children.

Erich SCHWACKE Silva - aged 47; 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; severely ill-treated; detained in Capuchinos, an annex of the Carcel Publica in Santiago; married with three children.

GHANA

Joseph Henry MENSAH - 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; held at Ussher Fort Prison, Accra.

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; thought to be imprisoned at Cape Coast.

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INDONESIA

The Indonesian parliamentarians listed below, with the exception of 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.

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 59; 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 54; 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.

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INDONESIA (continued)

DJADIWIROSUBROTO - Deputy Chairman of Barisan Tani Indonesia, the radical peasants' organization and member of parliament representing the Indonesian Communist Party. Born in 1905 in Jogjakarta; attended teachers training college and taught for some time in a governmental school. He was active in the independence movement in Indonesia and arrested by the Dutch in 1927 and exiled to a camp in West Irian; released in 1931 and returned to Java where he continued teaching. His involvement in political organization developed during the Japanese occupation of Indonesia 1942-45. After the attempted coup in 1965 he escaped arrest and went into hiding; eventually arrested in 1968. In 1973 he was tried and sentenced to 15 years' imprisonment. His place of detention is not known.

Sjamsul Hadi KASTARI - aged 56; elected member of parliament in 1955; member of the film workers trade union SARBUFIS, former secretary general of the East Java branch of Sentral Organisasi Buruh Seluruh Indonesia (SOBSI) and member of the SOBSI praesidium; arrested in October 1965; detained on Buru Island.

Kartinah KURDI - aged about 54; 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 in 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 47; 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.

OEI Tju Tat - aged 55; 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. Tried in March 1976 and sentenced to 13 years' imprisonment.

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INDONESIA (continued)

Ferdinand PUNTURAMBI - aged 59; 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.

Umiharti SARDJONO - aged 54; 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 55; 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 58; 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.

Abdullah SOMAD - member of Barisan Tani Indonesia, the radical peasants' organization and represented BII in the Indonesian Parliament. Aged 48 and has a wife and children. Detained in Salemba Prison Jakarta.

SUBANDRIO - aged 62; 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-1950's; 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;

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INDONESIA (continued)

SUBANDRIO (continued) -

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 59; 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 Warso Sampir - aged about 52; 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.

Ms Abdul Rachman SUNDARI - aged 55; 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 re-organize the PKI; arrested in 1969 and held for several months in solitary confinement in Lampung; tried in 1976 and sentenced to life imprisonment. Detained in Lampung, South Sumatra.

Karel SUPIT - aged 60; 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 62; 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 Padjadjean 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.

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INDONESIA (continued)

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.

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.

George ANYONA - member of parliament; arrested 4 May 1977 in Kenya Parliament Building in Nairobi because of his consistent criticism of cases of corruption and misgovernment in Kenya; detained under the Preservation of Public Security Regulations which provides for indefinite detention without charge or trial; place of detention unknown; married with children. Aged about 40.

Philomena Chelagat MUTAI^{x)} - member of Parliament; arrested on 23 January 1976 in Nairobi and charged with incitement to violence and disobedience to the law, as a result of remarks made during a local dispute over the ownership of a sisal plantation. At her trial the defence claimed that there was no prima facie case against her, and that the prosecution evidence was contradictory and possibly fabricated; Mr J.M. Seroney, member of parliament, (see below), stated at her trial that no violent words had been spoken by Ms Mutai at the meeting. Philomena Mutai was sentenced to 2 1/2 years' imprisonment and is now held at Langata Womens Prison, near Nairobi. Her appeal was dismissed by the East African Court of Appeal, Dar es Salaam, on May 6, 1977. Aged 26.

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KENYA (continued)

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 is Manyani Prison, Voi, Kenya.

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 is Manyani Prison, Voi, Kenya. Shikuku's health is known to be very bad. He is married with three wives and several children.

Wasonga SIJEYO - aged 55; 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 eleven children.

MALAYSIA

CHIAN Heng Kai - arrested 3 November 1976 under Internal Security Act, which allows for indefinite detention without charge or trial; member of parliament representing the opposition Democratic Action Party (DAP), parliament in session at time of arrest; outspoken in his criticism of government policies towards Chinese language and cultural issues, has made such criticisms during parliamentary debates; detained without trial by government on basis of allegation that he has "indirectly helped to advance the communist cause in Malaysia" by drawing attention to the Chinese language issue; arrested on same day as the assistant treasurer of the DAP and other prominent political figures, including two government ministers arrested after resigning their posts on 2 November; remains in detention without trial in the Kamunting Detention Camp.

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NEPAL

Krishna Prasad BHATTARAI (or UPADHYAY) - aged about 68; former Secretary General of the Nepali Congress Party (NCP) and former Speaker of Parliament until the NCP was banned and parliament dissolved after the coup staged by King Birendra on 15 December 1960; one of the first people to be imprisoned following the coup; arrested an hour before parliament was officially dissolved, while he was still technically Speaker of Parliament; detained under the Security Act for ten years without trial; arrested again in August 1972 in Bhaktapur and detained for a further three years, until his release on 16 December 1975 under a general amnesty declared by King Birendra; re-arrested in or about November 1976 under the Security Act during a wave of arrests which preceded the return of former NCP leader, B.P. Koirala, from self-imposed exile in India; held in preventive detention at Nakhu Jail, Kathmandu.

Bodh Prasad UPADHAYA - aged 56; one of the first members of the Nepali Congress Party (NCP) and, in 1959, elected member of the Upper House, representing a constituency in East Nepal, in the democratic government of NCP leader, B.P. Koirala; after the dissolution of parliament by King Mahendra in 1960 and the banning of the NCP, lived in self-imposed exile in India; arrested on his return to Nepal in 1962 and sentenced to 20 years' imprisonment; released after serving three years of sentence, but re-arrested shortly after; released and re-arrested under the Security Act many times until his release under an amnesty granted by King Birendra, on 16 February 1976; latest arrest made in November 1976 during a wave of arrests which preceded the return of former NCP leader, B.P. Koirala, from self-imposed exile in India; held in preventive detention under the Security Act at Jaleswar Jail, Janakpur; suffers from tuberculosis.

PAKISTAN

The following five 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.

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PAKISTAN (continued)

When the NAP leadership pressed their demands with threats of non-violent civil disobedience actions in the summer of 1973, they were arrested. Four of them have now been brought to trial, while Gul Khan Nasir has been tried on charges unconnected with the reasons for his arrest.

Mir Ghaus Saksh 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 started 14 April 1976; currently detained in Hyderabad Central Jail where the trial is taking place; on hunger strike in June 1975 to protest against denial of visits by relatives and the fact that he was not receiving any mail.

Abdul Wali KHAN - member of the National Assembly and leader of the opposition in the assembly; arrested 9 February 1975 in Rawalpindi, charged under the Defence of Pakistan Rules, then later under the Pakistan Penal Code, etc, following the dissolution of the National Awami Party (NAP), of which he was leader; High Court writ dismissed by Lahore High Court on 25 February 1975; trial began before Special Tribunal in Hyderabad Central Jail on 15 April 1976. In his fifties; he suffered a mild heart attack in November 1976 and was taken from Hyderabad Central Jail to Jinnah Post-Graduate Medical Centre, Karachi, but later returned to Hyderabad.

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 started 14 April 1976; currently detained in Hyderabad Central Jail, where trial is taking place; 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 started 14 April 1976; formerly detained in Karachi Central Jail although he has a heart condition and had to be transferred to hospital in August 1975; currently detained in Hyderabad Central Jail, where trial is taking place; married with children.

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PAKISTAN (continued)

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; now included in trial against former NAP leaders in Hyderabad Central Jail, where currently detained.

The following three prisoners are all leading members of the opposition National Democratic Party (NDP) in Pakistan who formerly belonged to the banned National Awami Party (NAP). After the Supreme Court confirmed the government ban on the NAP for anti-state activities in October 1975, these politicians joined the National Democratic Party which was formed in November 1975. They were arrested on 14 April 1976 on charges of conspiracy and rebellion and are now being tried by a special court inside Hyderabad Jail together with the leading members of the former opposition NAP (see details on first five prisoners listed).

Hashim Mohammad GHILZAI - leader of the Opposition in the Senate; granted bail on 23 December 1976.

Ghulam Ahmed BILOUR^{x)} - Opposition Senator

Syed Hussain SHAH^{x)} - Opposition Senator; granted bail on 23 December 1976.

Abdul Whaid KURD^{x)} - senator for the banned National Awami Party, from Quetta; first arrested 7 November 1974, released on bail December 1974 and re-arrested in 1975 or 1976 under the Explosive Substances Act, Pakistan Penal Code and others: some 12 charges exist against him; included in Hyderabad Conspiracy Case (see details on first five prisoners listed), and held in Hyderabad Central Jail.

Mir Mahmood Aziz KURD^{x)} - acting general secretary of the National Awami Party in Baluchistan and member of the Baluchistan Provincial Assembly; arrested 16 September 1974 under sections 409, 120, 124-A and 120-B of the Pakistan Penal Code; believed to be held in Quetta District Jail or Mach Central Jail.

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PAKISTAN (continued)

Mir Ali Baksh TALPUR^x) - member of the National Assembly; arrested 26 May 1976 and included in the accused in the Hyderabad Conspiracy Case; held in Hyderabad Central Jail.

PHILIPPINES

Benigno AQUINO - aged 43; former senator and widely regarded as President Ferdinand Marco'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; trial still proceeding in a military court.

SINGAPORE

CHIA Thye Poh - aged 36; 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 for political detainees.

LEE Tze Tong - aged 45; 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

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SINGAPORE (continued)

LEE Tze Tong (continued)

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.

SOMALIA

Mohamed Haji Ibrahim EGAL - former member of parliament and Prime Minister of Somalia 1967 - 1969. Detained when the military took power in 1969, held without trial until 1974 and then tried by the National Security Court and sentenced to 30 years' imprisonment. Released in October 1975 under an amnesty, but redetained a year later, reasons for this detention not known. Aged 56, he is married with two sons and one daughter. Place of detention not known.

Ismail Duale WADADIN - former member of parliament and Minister of Mining and Natural Resources in the civilian government overthrown in 1969. Detained without trial with many prominent members of the government when the military took power, and held until an amnesty in 1975. Re-detained in 1976, reason for detention not known. Place of detention not known.

SOUTH KOREA

Kim Dae Jung - aged 52; former assemblyman; stood as an opposition candidate against President Park Chung-hee in the presidential election of 1971 (the last by popular ballot), was narrowly defeated and later left the country; in August 1973 was kidnapped from a hotel in Tokyo by agents of the Korean Central Intelligence Agency and forcibly returned to South Korea; subsequently put on trial on charges of alleged violations of election law dating back to the 1971 campaign; found guilty in December 1975 and given a conditionally-suspended prison sentence of one year; while still appealing against this conviction, was re-arrested on 8 March 1976 in connection with a declaration endorsed by leading opposition and church figures which called for the restoration of basic freedoms in South Korea; indicted with 17 others under a special presidential decree on charges of "agitation to overthrow the government"; mass trial began on 4 May; on 28 August 1976 he was found guilty of violating Emergency Regulation Number 9 and sentenced to eight years' imprisonment to be followed by eight years' suspension of civil rights; on 29 December 1976 sentence changed without explanation by appeal court to one of five years' imprisonment; this sentence confirmed by Supreme Court in March 1977; Mr Kim has remained in prison continuously since his arrest in March 1976; he is seriously ill with sciatica and

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SOUTH KOREA (continued)

Kim Dae Jung (continued)
requires medical treatment; early in 1977 was moved from Seoul to a provincial prison more than 200 miles away, he is kept in solitary confinement; in May 1977 staged a one-week hunger strike to demand better conditions for himself and other political prisoners; remains in prison.

TANZANIA

Joseph Kasella BANTU - former member of parliament and chairman of the cabinet political committee, co-founder of the Tanganyika African National Union with President Nyerere. Arrested 18 December 1976 in Dar es Salaam, and detained for the fourth time. Held at Tanga Prison. His wife and children live in Dar-es-Salaam. Aged around 55. Vice chairman of the Tanzania Red Cross 1975-76.

Otini KAMBONA - former member of Parliament 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 GONZALEZ - aged 64; former deputy in the Uruguayan congress prior to its dissolution on 27 June 1973, a leading member of the Uruguayan Communist Party which was banned in December 1973, and former leader of the union of railway workers. Arrested on 21 October 1975 and held incommunicado for several months in the Batallón de Infantería No 3. Reported to have been tortured and kept hooded and handcuffed for long periods. Held for over one year in different military units before being formally charged. At the end of 1976, he was transferred to the military hospital in Montevideo as a result of the maltreatment and poor prison conditions to which he had been subjected. Prior to his arrest, he had been recovering from a heart operation. He is being held under the Law of National Security which brings civilians under military justice. Details of the charges against him are unknown. However, it is reported that the charges carry a penalty of between 3 - 18 years' imprisonment. He is married with three sons who were previously imprisoned and two of them tortured.

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LIST OF PARLIAMENTARIANS IN PRISON

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URUGUAY (continued)

Gerardo CUESTA VILLA - former deputy in the Uruguayan congress prior to its dissolution on 27 June 1973, leader of the metal workers union and one of the leaders of the CNT - Convención Nacional de Trabajadores (National Workers Convention - the main trade union organization). Arrested in early 1976 and reportedly subjected to torture. Detained in May 1976 in Boisso Lanza air force base with Jaime Gerschuni Perez another imprisoned parliamentarian. Held under the Law of National Security which brings civilians under military justice. He is charged with "asociación subversiva y atentado contra la Constitución" subversive association and attack on the Constitution". Presently being held in Regimiento de Artillería No 1 in Montevideo.

Jose Luis MASSERA - aged 61; well-known mathematician, former deputy in the Uruguayan congress prior to its dissolution on 27 June 1973, and a leading member of the Uruguayan Communist Party which was banned in December 1973. Arrested on 21 October 1975 and held under the Law of National Security which brings civilians under military justice. Held incommunicado for several months and reported to have been subjected to prolonged torture and maltreatment which resulted in his internment in the military hospital in Montevideo. Married with two children; his wife, Martha Valentini was subsequently arrested for agitating for his release, and his daughter and son-in-law have been detained at least once previously and tortured before release. Details of charges against him are unknown but it is reported that the corresponding penalty is 8 - 18 years' imprisonment. In early 1977 he was reported to have been held in the Establecimiento Militar de Reclusion No 1 in Libertad from where he was removed in June 1977 to an unknown detention center - there are renewed fears that he is being ill-treated.

Jaime GERSCHUNI PEREZ - aged 46; former deputy in the Uruguayan congress prior to its dissolution on 27 June 1973, ex-secretary general of the Uruguayan Communist Party which was banned in December 1973 and former secretary of the CNT - Convención Nacional de Trabajadores (National Workers Convention - the main trade union organization). Arrested on 25 October 1974 and held under the Law of National Security which brings civilians under military justice. Accused of "agravios a la fuerza moral de las fuerzas armadas" (offences against the morale of the Armed Forces). He was tried in February 1975 and sentenced to 18 months' imprisonment. Reported to have been badly tortured after his arrest. In February 1976, he was removed from Punta Carretas Prison to an unknown detention center.

Following a period of imprisonment in the Establecimiento Militar de Reclusion No 1 in Libertad, he again disappeared in September 1976 and was not located until January 1977 in a garrison in the town of Duraznox appearing to be severely affected, both mentally and physically, by the torture he had suffered. In April 1977, the Uruguayan authorities permitted an ILO (International Labour Office) mission delegate to interview him in prison. The latest information received is that Jaime Perez has again

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URUGUAY (continued)

Jaime GERSCHUNI PEREZ (continued)

disappeared, this time from the Military Hospital where he was being treated. This happened around the 1st August, and the military authorities refuse to reveal his whereabouts to his family.

SOCIALIST REPUBLIC OF VIETNAM

TRAN VAN TUYEN - before the change of government in April 1975, Secretary-General of the Vietnam Nationalist Party (Viet Nam Quoc Dan Dang). Member of the National Assembly since 1966, and chairman of the opposition bloc. A lawyer by profession he defended a number of opponents of the Thieu regime. Mr Tuyen was sent to a re-education camp in Long Khanh province in June 1975 and is now reported to be held in Chi-Hoa prison in Ho-Chi-Minh City (Saigon). Aged 64 he is reported to be in very bad health.

YUGOSLAVIA

Dusan BRKIC - former Prime Minister of the Republic of Croatia. He was arrested on 16 July 1975 during a wave of arrests of alleged "Cominformists" or "pro-Soviet" dissidents and charged with counter-revolutionary attacks against the State and social organization, with propaganda inciting hatred or discord and association against people and State. He was sentenced to 8 years' rigorous imprisonment at his trial in February 1976 and is said to be held in rigorous solitary confinement.

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

31 July 1977

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LIST OF PARLIAMENTARIANS IN PRISON
as of 31 July 1977

INTRODUCTION

This document gives the names of 62 parliamentarians in 18 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 have all served as constitutionally elected members of either national or provincial assemblies. Many - for instance those arrested in Indonesia in late 1965 - were still members of parliament at the time of their arrest. Some, such as J M Seroney, Martin Shikuku, and George Anyona of Kenya, were arrested as a direct result of their activities in Parliament. Others are former members of ruling parties arrested after the governments of which they formed a part were overthrown by unconstitutional means. In some cases - such as those of Bernardo Araya Zuleta and Vicente Atencio Cortes of Chile - the victims have simply disappeared, the authorities refusing to acknowledge their arrest and detention.

In compiling this list of Parliamentarians in Prison, Amnesty International is not attempting to judge the merits of any particular parliamentary system of government. Amnesty International seeks 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 to mobilize support for their release.

LIST OF PARLIAMENTARIANS IN PRISON

as of 31 July 1977

BAHREIN

Muhsin MARHOUN - former member of parliament, and a lawyer who has defended many political prisoners in the past; arrested 15 December 1975. he has not been charged and no trial has taken place; he is detained at Safra 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 Democrático 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 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.

CHILE

Bernardo APAYA ZULETA - aged 67; a former member of parliament and a prominent trade union leader who was the first secretary of the Central Unica de Trabajadores (Single Central Chilean Trade Union). He and his 61 year old wife, Maria Olga Flores Barraza de Araya were arrested at their home in the town of Quinteros, Province of Valparaiso on 2 April 1976. The arrest was carried out by officials of DINA (Dirección Nacional de Inteligencia) and the house was thoroughly searched at the time of the arrest, although no warrant was shown. A writ of habeas corpus was presented on the couple's behalf but the response of the Chilean authorities stated that they had never been detained. Other members of Sr Araya's family arrested at the same time and later released, have witnessed Sr Araya being tortured. The present whereabouts of Bernardo Araya Zuleta and Maria Olga Flores Barraza de Araya is unknown.

Vicente ATENCIO CORTES - aged 48. deputy for the province of Arica representing the Chilean Communist Party and a prominent trade unionist prior to the 1973 coup. He was arrested on 11 August 1976 while travelling from his home to work in Valparaiso. The detention has not been acknowledged by the Chilean authorities despite the writ of habeas corpus that has been presented on his behalf. He is married with four children.

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LIST OF PARLIAMENTARIANS IN PRISON

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CHILE (continued)

Carlos LORCA Tobar* - aged 33; 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. Probably in poor health, he suffers from ulcers and a blood deficiency; allegedly ill-treated; married with adult children.

Erich SCHNACKE Silva - aged 47; 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; severely ill-treated; detained in Capuchinos, an annex of the Carcel Publica in Santiago; married with three children.

GHANA

Joseph Henry MENSAB - 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; held at Ussher Fort Prison, Accra.

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; thought to be imprisoned at Cape Coast.

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

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LIST OF PARLIAMENTARIANS IN PRISON

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INDONESIA

The Indonesian parliamentarians listed below, with the exception of 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.

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.

APMUNANTO - aged about 50; elected 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 54; 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.

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LIST OF PARLIAMENTARIANS IN PRISON

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INDONESIA (continued)

DJADIWIROSUBROTO - Deputy Chairman of Barisan Tani Indonesia, the radical peasants' organization and member of parliament representing the Indonesian Communist Party. Born in 1905 in Jogjakarta; attended teachers training college and taught for some time in a governmental school. He was active in the independence movement in Indonesia and arrested by the Dutch in 1927 and exiled to a camp in West Irian; released in 1931 and returned to Java where he continued teaching. His involvement in political organization developed during the Japanese occupation of Indonesia 1942-45. After the attempted coup in 1965 he escaped arrest and went into hiding; eventually arrested in 1968. In 1973 he was tried and sentenced to 15 years' imprisonment. His place of detention is not known.

Sjamsul Hadi KASTARI - aged 56; elected member of parliament in 1955; member of the film workers trade union SARBUFIS, 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 on Buru Island.

Kartinah KURDI - aged about 54; 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 in 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 47; 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.

OEI Tju Tat - aged 55; 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. Tried in March 1976 and sentenced to 13 years' imprisonment.

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LIST OF PARLIAMENTARIANS IN PRISON

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INDONESIA (continued)

Ferdinand PUNTURAMBI - aged 59, 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.

Umiharti SARDJONO - aged 54; 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 55; 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 58; elected member of parliament in 1955 representing the Indonesian Communist Party, active trade unionist, former secretary general of PERBUNI, 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.

Abdullah SOMAD - member of Barisan Tani Indonesia, the radical peasants' organization and represented BTI in the Indonesian Parliament. Aged 48 and has a wife and children. Detained in Salemba Prison Jakarta.

SUBANDRIO - aged 62; 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-1950's; 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;

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LIST OF PARLIAMENTARIANS IN PRISON

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INDONESIA (continued)

SUBANDEJO (continued) -

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 59; 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 52; 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 Keroncan incantation; arrested at the end of 1967 with her husband; detained in Bukit Duri Prison.

Ms Abdul Fashman JUNDARI - aged 55; 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 re-organize the PKI; arrested in 1969 and held for several months in solitary confinement in Lampung; tried in 1976 and sentenced to life imprisonment. Detained in Lampung, South Sumatra.

Karel SUPIT - aged 60; 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. SUPAPTO - aged 62; 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.

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LIST OF PARLIAMENTARIANS IN PRISON

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INDONESIA (continued)

Tj. D. 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.

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.

George ANYONA - member of parliament; arrested 4 May 1977 in Kenya Parliament Building in Nairobi because of his consistent criticism of cases of corruption and misgovernment in Kenya; detained under the Preservation of Public Security Regulations which provides for indefinite detention without charge or trial; place of detention unknown; married with children. Aged about 40.

Philomena Chelagat MUTAI* - Member of Parliament; arrested on 23 January 1976 in Nairobi and charged with incitement to violence and disobedience to the law, as a result of remarks made during a local dispute over the ownership of a sisal plantation. At her trial the defence claimed that there was no prima facie case against her, and that the prosecution evidence was contradictory and possibly fabricated; Mr J.M. Seroney, member of Parliament, (see below), stated at her trial that no violent words had been spoken by Ms Mutai at the meeting. Philomena Mutai was sentenced to 2½ years' imprisonment and is now held at Langata Womens Prison, near Nairobi. Her appeal was dismissed by the East African Court of Appeal, Dar es Salaam, on May 6, 1977. Aged 26.

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

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KENYA (continued)

John Marie SEPONEY - 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 is Manyani Prison, Voi, Kenya.

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 is Manyani Prison, Voi, Kenya. Shikuku's health is known to be very bad. He is married with three wives and several children.

Wasonga SIJEYO - aged 55; 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 eleven children.

MALAYSIA

CHIAN Heng Kai - arrested 3 November 1976 under Internal Security Act, which allows for indefinite detention without charge or trial; member of parliament representing the opposition Democratic Action Party (DAP), parliament in session at time of arrest; outspoken in his criticism of government policies towards Chinese language and cultural issues, has made such criticisms during parliamentary debates; detained without trial by government on basis of allegation that he has "indirectly helped to advance the communist cause in Malaysia" by drawing attention to the Chinese language issue; arrested on same day as the assistant treasurer of the DAP and other prominent political figures, including two government ministers arrested after resigning their posts on 2 November; remains in detention without trial in the Kamunting Detention Camp.

LIST OF PARLIAMENTARIANS IN PRISON

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NEPAL

Krishna Prasad BHATTARAI (or UPADHYAY) - aged about 68; former Secretary General of the Nepali Congress Party (NCP) and former Speaker of Parliament until the NCP was banned and parliament dissolved after the coup staged by King Birendra on 15 December 1960; one of the first people to be imprisoned following the coup; arrested an hour before parliament was officially dissolved, while he was still technically Speaker of Parliament; detained under the Security Act for ten years without trial; arrested again in August 1972 in Bhaktapur and detained for a further three years, until his release on 16 December 1975 under a general amnesty declared by King Birendra; re-arrested in or about November 1976 under the Security Act during a wave of arrests which preceded the return of former NCP leader, B.P. Koirala, from self-imposed exile in India; held in preventive detention at Nakhu Jail, Kathmandu.

Bodh Prasad UPADHAYA - aged 56; one of the first members of the Nepali Congress Party (NCP) and, in 1959, elected member of the Upper House, representing a constituency in East Nepal, in the democratic government of NCP leader, B.P. Koirala; after the dissolution of parliament by King Mahendra in 1960 and the banning of the NCP, lived in self-imposed exile in India; arrested on his return to Nepal in 1962 and sentenced to 20 years' imprisonment; released after serving three years of sentence, but re-arrested shortly after; released and re-arrested under the Security Act many times until his release under an amnesty granted by King Birendra, on 16 February 1976; latest arrest made in November 1976 during a wave of arrests which preceded the return of former NCP leader, B.P. Koirala, from self-imposed exile in India; held in preventive detention under the Security Act at Jaleshwar Jail, Janakpur; suffers from tuberculosis.

PAKISTAN

The following five 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.

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LIST OF PARLIAMENTARIANS IN PRISON

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PAKISTAN (continued)

When the NAP leadership pressed their demands with threats of non-violent civil disobedience actions in the summer of 1973, they were arrested. Four of them have now 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 started 14 April 1976; currently detained in Hyderabad Central Jail where the trial is taking place; on hunger strike in June 1975 to protest against denial of visits by relatives and the fact that he was not receiving any mail.

Abdul Wali KHAN - member of the National Assembly and leader of the opposition in the assembly; arrested 9 February 1975 in Rawalpindi, charged under the Defence of Pakistan Rules, then later under the Pakistan Penal Code, etc, following the dissolution of the National Awami Party (NAP), of which he was leader; High Court writ dismissed by Lahore High Court on 25 February 1975; trial began before Special Tribunal in Hyderabad Central Jail on 15 April 1976. In his fifties; he suffered a mild heart attack in November 1976 and was taken from Hyderabad Central Jail to Jinnah Post-Graduate Medical Centre, Karachi, but later returned to Hyderabad.

Khair Baksh MAFRI - 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 started 14 April 1976; currently detained in Hyderabad Central Jail, where trial is taking place; 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 started 14 April 1976; formerly detained in Karachi Central Jail although he has a heart condition and had to be transferred to hospital in August 1975; currently detained in Hyderabad Central Jail, where trial is taking place; married with children.

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LIST OF PARLIAMENTARIANS IN PRISON

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PAKISTAN (continued)

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; now included in trial against former NAP leaders in Hyderabad Central Jail, where currently detained.

The following three prisoners are all leading members of the opposition National Democratic Party (NDP) in Pakistan who formerly belonged to the banned National Awami Party (NAP). After the Supreme Court confirmed the government ban on the NDP for anti-state activities in October 1975, these politicians joined the National Democratic Party which was formed in November 1975. They were arrested on 14 April 1976 on charges of conspiracy and rebellion and are now being tried by a special court inside Hyderabad Jail together with the leading members of the former opposition NAP (see details on first five prisoners listed).

Hashim Mohammad GHILZAI - leader of the Opposition in the Senate; granted bail on 23 December 1976.

Ghulam Ahmed BILOUR * - Opposition Senator

Syed Hussain SHAH * - Opposition Senator; granted bail on 23 December 1976.

Abdul Wahid KURD* - senator for the banned National Awami Party, from Quetta; first arrested 7 November 1974, released on bail December 1974 and re-arrested in 1975 or 1976 under the Explosive Substances Act, Pakistan Penal Code and others; some 12 charges exist against him; included in Hyderabad Conspiracy Case (see details on first five prisoners listed), and held in Hyderabad Central Jail.

Mir Mahmood Aziz KURD * - acting general secretary of the National Awami Party in Baluchistan and member of the Baluchistan Provincial Assembly; arrested 16 September 1974 under sections 409, 120, 124-A and 120-B of the Pakistan Penal Code; believed to be held in Quetta District Jail or Mach Central Jail.

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

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LIST OF PARLIAMENTARIANS IN PRISON

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PAKISTAN (continued)

Mir Ali Baksh TALPUR * - member of the National Assembly; arrested 26 May 1976 and included in the accused in the Hyderabad Conspiracy Case; held in Hyderabad Central Jail.

PHILIPPINES

Benigno AQUINO - aged 43; former senator and widely regarded as President Ferdinand Marco'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; trial still proceeding in a military court.

SINGAPORE

CHIA Thye Poh - aged 36; 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 for political detainees.

LEE Tze Tong - aged 45; 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

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LIST OF PARLIAMENTARIANS IN PRISON

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SINGAPORE (continued)

LEE Tze Tong (continued)

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.

SOMALIA

Mohamed Haji Ibrahim EGAL - former member of parliament and Prime Minister of Somalia 1967-1969. Detained when the military took power in 1969, held without trial until 1974 and then tried by the National Security Court and sentenced to 30 years' imprisonment. Released in October 1975 under an amnesty, but redetained a year later, reasons for this detention not known. Aged 56, he is married with two sons and one daughter. Place of detention not known.

Ismail Duale WADADIN - former member of parliament and Minister of Mining and Natural Resources in the civilian government overthrown in 1969. Detained without trial with many prominent members of the government when the military took power, and held until an amnesty in 1975. Re-detained in 1976, reason for detention not known. Place of detention not known.

SOUTH KOREA

Kim Dae Jung - aged 52; former assemblyman; stood as an opposition candidate against President Park Chung-hee in the presidential election of 1971 (the last by popular ballot), was narrowly defeated and later left the country; in August 1973 was kidnapped from a hotel in Tokyo by agents of the Korean Central Intelligence Agency and forcibly returned to South Korea; subsequently put on trial on charges of alleged violations of election law dating back to the 1971 campaign; found guilty in December 1975 and given a conditionally-suspended prison sentence of one year; while still appealing against this conviction, was re-arrested on 8 March 1976 in connection with a declaration endorsed by leading opposition and church figures which called for the restoration of basic freedoms in South Korea; indicted with 17 others under a special presidential decree on charges of "agitation to overthrow the government"; mass trial began on 4 May; on 28 August 1976 he was found guilty of violating Emergency Regulation Number 9 and sentenced to eight years' imprisonment to be followed by eight years' suspension of civil rights; on 29 December 1976 sentence changed without explanation by appeal court to one of five years' imprisonment; this sentence confirmed by Supreme Court in March 1977; Mr Kim has remained in prison continuously since his arrest in March 1976;

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SOUTH KOREA (continued)

Kim Dae Jung (continued)

he is seriously ill with sciatica and requires medical treatment; early in 1977 was moved from Seoul to a provincial prison more than 200 miles away, he is kept in solitary confinement; in May 1977 staged a one-week hunger strike to demand better conditions for himself and other political prisoners; remains in prison.

TANZANIA

Joseph Kasella BANTU - former member of parliament and chairman of the cabinet political committee, co-founder of the Tanganyika African National Union with President Nyerere. Arrested 18 December 1976 in Dar es Salaam, and detained for the fourth time. Held at Tanga Prison. His wife and children live in Dar-es-Salaam. Aged around 55. Vice chairman of the Tanzania Red Cross 1975-76.

Otini KAMBONA - former member of Parliament 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 ALTESOP GONZALEZ - aged 64; former deputy in the Uruguayan congress prior to its dissolution on 27 June 1973, a leading member of the Uruguayan Communist Party which was banned in December 1973, and former leader of the union of railway workers. Arrested on 21 October 1975 and held incommunicado for several months in the Batallón de Infantería No 3. Reported to have been tortured and kept hooded and handcuffed for long periods. Held for over one year in different military units before being formally charged. At the end of 1976, he was transferred to the military hospital in Montevideo as a result of the maltreatment and poor prison conditions to which he had been subjected. Prior to his arrest, he had been recovering from a heart operation. He is being held under the Law of National Security which brings civilians under military justice. Details of the charges against him are unknown. However, it is reported that the charges carry a penalty of between 3 - 18 years' imprisonment. He is married with three sons who were previously imprisoned and two of them tortured.

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LIST OF PARLIAMENTARIANS IN PRISON

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URUGUAY (continued)

Gerardo CUESTA VILLA - Former deputy in the Uruguayan congress prior to its dissolution on 27 June 1973, leader of the metal workers union and one of the leaders of the CNT - Convención Nacional de Trabajadores (National Workers Convention - the main trade union organization). Arrested in early 1976 and reportedly subjected to torture. Detained in May 1976 in Boisso Lanza air force base with Jaime Gerschuni Perez another imprisoned parliamentarian. Held under the Law of National Security which brings civilians under military justice. He is charged with "asociación subversiva y atentado contra la Constitución" subversive association and attack on the Constitution". Presently being held in Recimiento de Artillería No 1 in Montevideo.

Jose Luis MA'SETA - aged 61; well-known mathematician, former deputy in the Uruguayan congress prior to its dissolution on 27 June 1973, and a leading member of the Uruguayan Communist Party which was banned in December 1973. Arrested on 21 October 1975 and held under the Law of National Security which brings civilians under military justice. Held incomunicado for several months and reported to have been subjected to prolonged torture and maltreatment which resulted in his internment in the military hospital in Montevideo. Married with two children; his wife, Martha Valentini was subsequently arrested for agitating for his release, and his daughter and son-in-law have been detained at least once previously and tortured before release. Details of charges against him are unknown but it is reported that the corresponding penalty is 8 - 18 years' imprisonment. In early 1977 he was reported to have been held in the Establecimiento Militar de Reclusion No 1 in Libertad from where he was removed in June 1977 to an unknown detention center - there are renewed fears that he is being ill-treated.

Jaime GERSCHUNI PEREZ - aged 46; former deputy in the Uruguayan congress prior to its dissolution on 27 June 1973, ex-secretary general of the Uruguayan Communist Party which was banned in December 1973 and former secretary of the CNT - Convención Nacional de Trabajadores (National Workers Convention - the main trade union organization). Arrested on 25 October 1974 and held under the Law of National Security which brings civilians under military justice. Accused of "agravios a la fuerza moral de las fuerzas armadas" (offences against the morale of the Armed Forces). He was tried in February 1975 and sentenced to 18 months' imprisonment. Reported to have been badly tortured after his arrest. In February 1976, he was removed from Punta Carretas Prison to an unknown detention center.

Following a period of imprisonment in the Establecimiento Militar de Reclusion No 1 in Libertad, he again disappeared in September 1976 and was not located until January 1977 in a garrison in the town of Duraznox appearing to be severely affected, both mentally and physically, by the torture he had suffered.

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LIST OF PARLIAMENTARIANS IN PRISON

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URUGUAY (continued)

Jaime GERSCHUNI PEREZ (continued)

In April 1977, the Uruguayan authorities permitted an ILO (International Labour Office) mission delegate to interview him in prison. The latest information received is that Jaime Perez has again disappeared, this time from the Military Hospital where he was being treated. This happened around the 1st August, and the military authorities refuse to reveal his whereabouts to his family.

SOCIALIST REPUBLIC OF VIETNAM

TRAN VAN TUYEN - Before the change of government in April 1975, Secretary-General of the Vietnam Nationalist Party (Viet Nam Quoc Dan Dang). Member of the National Assembly since 1966, and chairman of the opposition bloc. A lawyer by profession he defended a number of opponents of the Thieu regime. Mr Tuyen was sent to a re-education camp in Long Khanh province in June 1975 and is now reported to be held in Chi-Hoa prison in Ho-Chi-Minh City (Saigon). Aged 64 he is reported to be in very bad health.

YUGOSLAVIA

Dusan BJKIC - former Prime Minister of the Republic of Croatia. He was arrested on 16 July 1975 during a wave of arrests of alleged "Cominformists" or "pro-Soviet" dissidents and charged with counter-revolutionary attacks against the State and social organization, with propaganda inciting hatred or discord and association against people and State. He was sentenced to 8 years' rigorous imprisonment at his trial in February 1976 and is said to be held in rigorous solitary confinement.

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