

further proof of the brutality of the barbaric and inhuman regime of apartheid.

The WFTU also associates itself with the urgent appeal calling for the release of Nelson Mandela, who was sentenced to life imprisonment in June 1964 for going underground to lead the campaign against the establishment of a racist republic by decision of white voters only. Mr. Mandela has become the symbol of resistance and the respected leader of the black people of South Africa. The WFTU is prepared to participate in a joint effort by the international community to bring about the unconditional release of Mr. Mandela and all other political prisoners.

Three other members of the African National Congress, Mr. Barry Isosobe, Johannes Shabangn and David Moise, were condemned to death at the beginning of December 1982 - the year declared by the U.N. as International Year of Mobilisation against Apartheid. The WFTU is persuaded that not only the lives of these men, but the lives of many other fighters for the achievement of the right of South African people to self-determination could be saved by decisive united action by the international community.

12. Question of the violation of human rights and fundamental freedoms in any part of the world

The whole continent of Latin America is the most crying example of unprecedented violations of human rights, stressing the global character of the policy of military leaders attempting to liquidate any opposition movement by the use of terror, assassinations, disappeared persons, kidnappings etc. In this context it is also characteristic that the US Commission on Central America headed by Dr. Kissinger proposed a military solution to the situation there, thus indicating that the US Government is prepared to give its support to any government in the region representing "vital US interests" regardless of the most brutal violations of human rights repeatedly condemned by the world community. The present situation in the continent is witnessing an unusual reactivation of opposition movements aimed at halting the continuing deterioration of the standards of living of all people. Consequently, in order to crush these movements, the military governments tend to try to reinforce their position by resorting to the fascist form of government.

El Salvador

The incredibly cruel policy of assassinations and kidnappings continue to be applied by the political régime of El Salvador in violation of the most fundamental human rights, denounced many times by various national and international democratic institutions.

Over the last 3 years, more than 40 thousand Salvadorean citizens have been assassinated and over 700 thousand have left the country as a result of repression.

The Salvadorean Human Rights Commission indicated that in the first months of 1982, as many as 4,692 civilians were assassinated. The same Commission severely denounced the bombing of defenceless civilians with the use of napalm bombs and white phosphorus, causing innumerable casualties. The methods of repression in 1983 were even more brutal and there is no exact record of the number of casualties.

800 Salvadorean political prisoners have been held in various penal centres of that country for over two years. These prisoners are denied the right to defence and they are arbitrarily brought before military tribunals in virtue of Decree No. 507 which is unconstitutional and violates the most essential rights of political prisoners.

A delegation of 8 American doctors headed by Dr. Ann Hargreaves, Sub-Director of the Health Service in Boston, and Dr. John Stanbury from the Massachusetts Institute of Technology, found eloquent proof of physical torture on the bodies of political prisoners.

The WFTU also strongly condemns the Salvadorean government's conscription of children between the ages of 13 and 17 who are forced to fight the guerillas opposing the régime.

The WFTU condemns the barbaric assassination by the Government of El Salvador or disappearance of the following salvadorean trade union leaders:

Santiago Hernandez, General Secretary of the FUSS (Federación Unitaria Sindical de El Salvador)

Carlos Diaz, Secretary of the "Sindicato del Banco Central de Reserva de El Salvador"

Rosendo Mejia Carpio, General Secretary of the "Sindicato del Instituto de Vivienda Urbana"

Dra. Dora Muñoz Castillo

Hugo Carrillo

Manuel de Jesus Baires

Amilcar Martinez Arguera

Antonio Francisco Peñate Parada

Roberto Rivera Martell
Pedro Flores Peña
José Enrique Escalante Martinez
Evelyn Calderon
Victor Manuel Quintanilla
Victor Manuel Ordoñez Perez
Pedro Ramirez Esquivel
Pablo Ramirez Cornejo

As for the legal basis supporting the violation of human rights in El Salvador, the WFTU draws the attention of the Commission to the following laws:

- Decree No. 155 declares martial law and limits the freedom of expression, free transit and the inviolability of correspondence;
- Decrees Nos. 264 and 265 qualify as a terrorist anyone who takes or occupies peacefully public buildings or installations centres of work or service and places destined for any religious purpose;
- Decree No. 296 cancels the right of Civil Service workers to defend themselves, thus putting the workers at the mercy of the arbitrary will of their bosses;
- Decree No. 43 establishes the state of emergency that has permitted the militarization of important institutions of public service, incorporating their workers and employees into the armed forces; consequently, collective agreements have been cancelled, and associations and trade unions dissolved.
- Decree No. 507 gives broad freedom to the security forces to deal with subversion; furthermore, the decree legitimises torture as a means of obtaining all necessary information and is applicable to young people under 15 years. This decree annuls the right of detainees and permits people to be detained on the slightest pretext and held without being allowed to make any communication during the investigation which can last as long as 180 days.
- Decree No. 544, published on January 5, 1981, froze wages and social allowances till February 14, 1982. This disposition together with Decree No. 729 prohibit the negotiation of collective agreements and declare all trade union activity illegal.

Guatemala

Since 8 August 1983, when general Oscar Mejía Víctores came to power, the government has not ceased its repression against the civilian population, especially against the indigenous Kekchí and Pocomchí population.

The terrorist regime continues to cause the forced migration of the population. According to the local human rights organizations, the number of displaced persons has already reached one million, of whom over 200,000 have left the country, mostly for Mexico.

The present situation indicates that there is a situation of internal armed conflict in Guatemala, in which the government security forces do not respect the standards of international humanitarian law. Consequently, the WFTU urges the UN Human Rights Commission to mobilize world public opinion against the practices of terror and secret executions. The situation of 35 persons now under the control of military forces in Cuartel Justo Barrios is particularly worrying.

These include:

Edgar Raúl Rivas Rodríguez

Raúl Moran Lucero

José Antonio Vásquez Reina

Marco Vinicio Calderón Cruz

José Simón Cos Culajay

Catalino Cos Culajay

Edna Patricia Mejía Leal

Victoriano Gramajo Samoyoa

Ana Noemí Sacalzot Aguilar

Edgar Haroldo Castro Ramírez

Mario Alberto de León Arango

Raúl Cacacho Ralda

Eugenio Cap Yes

Lleana del Rosario Solares Castillo

Odón Humberto Mazariegos Alvarez

Angela Ayala

Rosa Aminta Ramírez

Edelberto Gerónimo Leal Fedrek

Ana Lucrecia Orellana Stormont

Guillermo Toralla Loarca

Jorge Alberto Rosal Paz

José Augusto Medrano Estrada

Francisco Matías Mansilla Córdova

Gustavo Adolfo Meza Soberanis

Ernesto Joaquín Gutierrez Castellanos

Angel Claudio Calderón de León

Marco Antonio Caxaj Rodríguez

Eugenio Rolando Morán Ramírez

Rosa Estela Pérez Villaseñor

Uruguay

Since our last communication, the situation in this country in the field of human rights has not essentially improved.

Approximately 1,000 citizens remain in prison, on charges related to their political activities; prison conditions, despite frequent intervention by humanitarian organizations, are still totally inhumane, especially in the Libertad prison and the women's prison in Punta de Rieles. Once again we draw your attention to the frequent use of torture which has already killed several dozen people. Over 150

people have "disappeared", although in fact they are being

detained by the police. Several hundred thousand citizens are in enforced exile and apart from exceptional cases, the Government refuses to grant them the necessary papers. Frequent calls for amnesty -including the exiles' return to the country and the lifting of the ban affecting several thousand people, which is denying them the right to freedom of association or to stand candidates in elections - have been issued by all political parties and public organizations. However, these have run into governmental opposition, despite the government's statement that the state of emergency in the country, which is responsible for the repressive measures, has been lifted.

In the labour sphere, the Law on Trade Associations No. 15137 violates ILO Conventions Nos 87 and 98; the National Workers' Convention (CNT) trade union centre, whose membership accounts for 90% of the country's workers, has continued to be outlawed since 1973. (As this aspect of human rights violations in Uruguay is the subject of ILO procedures, we will not stress it.)

Uruguay ratified the International Covenant on Civil and Political Rights, plus its relative Optional Protocol on the 23.3. 1976. However, the situation of the political prisoners proves that the government never intended to implement it. We would like to particularly stress the systematic violation of the following articles:

Art. 9 - Prisoners are not tried "within a reasonable period of time" : some have been in prison without trial for several years.

- Political prisoners are not tried by any "impartial court", but are arbitrarily taken before military courts despite being civilians.

Art. 10 - Political detainees are not "treated humanely and with the inherent dignity due to human beings".

Art. 14 - Trials, when brought against the accused, are not in public nor is the presence of the accused set as a condition. The sentences, likewise, are not made public.

- In the trial, there is no presumption of innocence. Contrary to this, the detainees are treated as prisoners of war, on the basis of the present philosophy of an "internal state of war".

- The accused are denied guarantees enabling them to prepare their own defence, nor are they entitled to choose a defence lawyer, to be present when witnesses are questioned or to call any defence witnesses.

It is also necessary to point out the frequent violations of the right to freedom of expression with various press and radio channels having suffered severe reprisals for broadcasting information incurring the government's displeasure.

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Turkey

Over the last year, there has been no improvement whatever with regard to the violation of human rights in Turkey as witnessed by the observations of numerous lawyers and trade unionists who have been to Turkey on the WFTU's behalf.

The parliamentary elections of 6 November 1983 have not brought any liberalisation of the repressive regime either. Some days after these elections the National Security Council prolonged martial law by four months and a military tribunal condemned 23 leaders of the Turkish Peace Committee to prison sentences of from 5 to 8 years, including the most outstanding democratic intellectuals of the country.

The number of accused in the trial of the DISK (Trade Union Confederation representing 600,000 workers) has reached 78, of whom 68 face the death penalty. Other trials have begun against the leaders of trade union organizations affiliated to DISK. They risk prison sentences of from 6 to 20 years. The total number of trade union leaders and officials of the DISK standing trial has reached 1,067.

The junta and its Consultative Assembly have enacted numerous laws considerably restricting fundamental human rights. These repressive laws tend in particular to suppress freedom of opinion and of expression.

Below is some information concerning recent important cases of the brutal violation of human rights, especially torture and the suppression of freedom of opinion and expression:

1) World famous Turkish humour writer and the chairman of the Writers' Union of Turkey, Aziz Nesin was indicted for a novel which he wrote 27 years ago. This work of humour has been reprinted six times since 1956 and never before been the subject of legal proceedings. The military prosecutor asked for him to be given a prison sentence of up to ten years (March 1983). In May, he was deprived of a passport to travel abroad.

- 2) Tamer Kayas, editor of the daily "Politika" (owned by some DISK affiliates) was condemned to a $7\frac{1}{2}$ -year prison term by a military tribunal in Istanbul on the charge of having printed communist propaganda in the newspaper (15.4. 1983).
- 3) A person named as Ilhan Cetin was condemned to a 3-year prison term by a military court in Ankara for having criticized the President of the Republic (10.4. 1983).
- 4) Mehmet Ali Kutlu, editor of the periodical "Sosyalist Genclik Gazetesi", was condemned to a $7\frac{1}{2}$ - year prison term by a military court in Istanbul (2.4. 1983).
- 5) On May 9, Nadir Nadi, 75, the editor-in-chief of the daily "Cumhuriyet" was sentenced to two months and twenty days' imprisonment by a military court in Istanbul for reprinting an editorial written 22 years ago.
- 6) In Erzurum, the military prosecutor instituted further proceedings against 14 women prisoners already accused in the DEV-YOL trial for having protested for two days against the torture of their comrades. The prosecution demanded prison sentences for them (April 1983).
- 7) On April 9, 1,116 detainees of the military prison of Metris (Istanbul) were deprived of their right to receive visitors for two weeks on the pretext of "breach of discipline".
- 8) A literature teacher, Ozgen Seckin, was arrested for "communist propaganda" in a book of poetry he wrote (12.5. 1983).
- 9) Abdullah Gulbudak, the editor general of the Teachers' Union of Turkey (TOB-DER), was beaten and killed by jailers and rightist prisoners who attacked TOB-DER leaders. TOB-DER's attorney, Halit Celenk, sought permission to see the body in order to establish the cause of death, but permission was refused (May 1983).
- 10) Being unable to make their voice heard through normal means, 2,500 prisoners went on hunger strike in July 1983 in the prisons of Istanbul. In their appeal to world opinion, the hunger strikes also announced that Hakan Mermeroluk, Serif Akkaya and Hakki Hocaoglu had died due to torture and ill-treatment in military prisons.

11) Abdullah Basturk, president of DISK, revealed the inhuman conditions of confinement prevailing in the prisons and the irregularities relating to the trials at the hearing of August 3; thereupon he was condemned to 7 days in solitary confinement in prison (July 1983).

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TÜSTAV