

# Amnesty International

APARNA MUKERJEE

National Law School of India University, Bangalore

Amnesty International is a world wide organisation whose main aim is the protection of human rights. It began in 1961 with a newspaper article calling on people from all walks of life to work for the release of thousands of women and men imprisoned throughout the world for their political or religious views. They were to be called "prisoners of conscience" and with that a new phrase entered the vocabulary of world affairs.

The first episode which this organisation focussed on was in Portugal. Early in 1961, a British lawyer named Peter Benenson read in the morning paper how two students in Portugal had been arrested and sentenced to seven years imprisonment for raising their glasses in a toast to freedom. Indignant as he was, he wanted to draw the attention of the public to the plight of people like them. He discussed the problem with Eric Baker, a prominent English Quaker, and some other friends. They decided to

launch a one year campaign called "Appeal for Amnesty" whose object was to obtain an amnesty for all prisoners of conscience. Within a month more than a thousand people had sent in offers of practical help. Six months later, Peter Benenson announced the next step in the campaign and what had started as a brief publicity campaign was converted into a powerful international movement; and this prompted Benenson to declare "We believe that these first six months have shown that in an increasingly cynical world there is a great latent reservoir of idealism to be tapped".

Amnesty International is organised into groups. In cases where the free expression of views is being suppressed by torture and imprisonment, members try to give practical help by contacting prisoners' families and sending letters of appeal to government authorities for their release.

Thousands of people in the world today are in prison because of their beliefs. Many

are held without charge or trial. Torture and the death penalty are widespread. Despite efforts of the United Nations and International law, the world still lacks efficient machinery to prevent these as well as other violations of human rights.

Amnesty International's activities focus on prisoners in three ways -

Firstly "It seeks the release of men and women detained any where for their beliefs, colour, sex, ethnic origin, language or religion, provided they have not used or advocated violence. These are *prisoners of conscience*".

Secondly "It advocates fair and prompt trials for *all political prisoners* and works on behalf of such people detained without charge and without trial".

Lastly "It opposes the death penalty, torture or other cruelty, inhuman or degrading treatment or punishment of *all prisoners* without reservation".

### Political Trials

Political prisoners in many countries are convicted in trials that violate internationally agreed standards or are held for years without any trial at all. AI works towards ensuring that all political prisoners are given

a fair trial within a reasonable period of time and bases this on internationally recognised standards that require.

- the provision of defence lawyers of the prisoner's choice,
- full prior consultation with the defence counsel,
- an open trial in the presence of outsiders,
- testimony of defence witnesses and right of cross examination, and
- the repudiation of evidence extracted under duress or torture.

The death penalty is a violation of the right of life proclaimed in the Universal Declaration of Human Rights and other international standards. In the U.S.A., when AI conducted a campaign to abolish this form of punishment many state governors and other officials responded favourably. During 1987, 769 prisoners have been executed in 39 countries. But by the end of year, 32 countries abolished this punishment altogether and 18 abolished it for all but exceptional crimes such as war crimes. Four countries which recently gave it up are the G.D.R., Haiti, Liechtenstein and the Philippines.

### **Political Killings by the Government**

These killings are the work of regular military and police forces; of special units created to function without normal supervision, of "death squads" operating with government complicity and of assassins whose victims are selected targets in other countries. Such killings often go along with the suspension of fundamental rights, biased judiciary, suppression of evidence, intimidation of witnesses and failure to act on the findings of independent investigators.

In Columbia, (August 1987) within 2 weeks of a march by 3,000 Columbians proclaiming the right to life, four of the leaders of the march had been shot down by "death squads" apparently connected with the Columbian security forces.

### **How Amnesty International Works**

Research is an integral part of Amnesty's work. The Research Department of the International Secretariat of AI collects and analyses information about violations of human rights from all over the world. The information so collected is assimilated and rechecked to ensure that none of the campaigns are based on false information.

When the facts show that an individual is a prisoner of conscience, the case is usually

allocated to one or more of the movement's groups around the world. These groups comprising of local members study the background to the cases and then begin writing to the responsible authorities appealing for the prisoners early release or prompt trial.

Letter after letter is sent to Cabinet ministers and prison officials. Members try to get publicity in the local press about the prisoners they are trying to free. They go to the foreign embassy or trade delegation in their country and get prominent people to sign appeals. They often go to prisoner's family and try to provide relief to them.

The principle on which AI bases its approach is that no government can withstand widespread publicity which will damage its "international image". As AI's published reports are strictly based on fact, governments which employ repressive methods are forced to acknowledge the truth of these and some act positively when letters of appeal from AI members from all around the globe reach them. For a member's own safety, AI does not allow her/him to write letters of appeal or participate in campaigns against her/his own government.

### **AI's 1987 Report of India**

This year political violence in India has been widespread, especially in the states of

Punjab, W. Bengal, Andhra Pradesh, Maharashtra and Rajasthan.

Several thousands of political detainees have been held without charge or trial under special "anti-terrorist laws" and preventive detention legislation which lacks basic legal safeguards which international human right standards have laid down.

The government has strengthened special and preventive detention laws. The National Security Act (NSA) which permits the authorities to detain people without charge or trial for security reasons was amended in August to allow detainees to be held for six months before review by an Advisory Board. Under the NSA, detainees in Punjab can be held for two years as compared to one year elsewhere.

The government also made the Terrorist and Disruptive Activities (Prevention) Act (TADA) more effective. Among other things this created special courts whose proceedings would be held in camera. A confession to a senior police officer could be admitted as evidence if the police "had reason to believe it was made voluntarily", even though the Indian Evidence Act has long required confession to be recorded before a Magistrate as a safeguard against abuse.

In Gujarat, the number of Indians charged under TADA was apparently 2,230, of which, 1,800 were on bail. In this state, TADA was used to detain non-violent opponents of the government (including students) who protested against a rise in milk prices, workers opposed to the contract labour system and farmers who campaigned for a reduction in electricity charges. TADA was effectively used in other states such as Maharashtra (where dozens of tribals were arrested on charges of assisting Naxalites) Andhra Pradesh (where alleged Naxalites were arrested,) in West Bengal (to put down the movement of the Gurkha National Liberation Front) and Jammu and Kashmir (to suppress the Muslim United Front).

Torture and ill-treatment of political prisoners is fairly common especially in states like Punjab. Members of scheduled castes or scheduled tribes who are supposedly awarded special protection under the Constitution are widely tortured and ill-treated mainly in rural areas. For example, nine tribal leaders who were arrested in August after demonstrating for better conditions were alleged to have been tortured by police in Rajasthan. They were released after a petition to the Supreme Court. In April, 150 scheduled caste families from Raunia in Bihar sent a petition to the Sup-

reme Court stating that they had been tortured, excrement had been forced into their mouths and boiling water poured over them.

Amnesty International wrote to the Central Government and to state authorities in Madhya Pradesh, Punjab, Uttar Pradesh and West Bengal expressing concern about the abuse of the powers of arrest and detention under TADA including the possible detention of prisoners of conscience and about reports of torture, "disappearances", and deaths in custody as well as the continuing use of the death penalty as a form of punishment.

### AI in Quotes

Albert Schweitzer, the renowned humanitarian, was an early supporter of Amnesty International and declared in 1963, "I believe that, world peace can be

achieved only when there is freedom for people of all political persuasion, religions and races to exchange their views in a continuing dialogue. For this reason I would particularly ask all those who are working in their different ways towards world peace to make their contribution, preferably by active service or failing that by financial contribution, to this great new endeavour called Amnesty International."

However, despite all efforts, for every one prisoner who is free because of AI, there remain a thousand more who are unknown. But what this organisation is doing is a major step in the right direction. If the free people can unite and develop their awareness for concerning the human rights issue, governments which employ repressive methods will be forced to stop and the prisoners of the world will still have hope.

---

*Nothing in education is so astonishing as the amount of ignorance it accumulates in the form of inert facts.*

— HENRY ADAMS