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95th Congress }
2d Session }

JOINT COMMITTEE PRINT

COUNTRY REPORTS ON HUMAN RIGHTS
PRACTICES
DOCUMENTS

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SUBMITTED TO THE

COMMITTEE ON INTERNATIONAL RELATIONS
U.S. HOUSE OF REPRESENTATIVES

AND

COMMITTEE ON FOREIGN RELATIONS
U.S. SENATE

BY THE

DEPARTMENT OF STATE

IN ACCORDANCE WITH SECTIONS 116(d) AND 502B(b)
OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED



FEBRUARY 3, 1978

Printed for the use of the Committees on International Relations and
Foreign Relations of the House of Representatives and the Senate respectively

95th Congress }
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U.S. GOVERNMENT PRINTING OFFICE

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WASHINGTON : 1978

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(II)

FOREWORD

The human rights reports contained herein were prepared by the Department of State in accordance with sections 116(d) and 502B(b) of the Foreign Assistance Act, as amended.

Given the wide interest in human rights, these reports are being printed to assist Members of Congress in their consideration of legislation relating to human rights and U.S. foreign policy.

CLEMENT J. ZABLOCKI,
Chairman, Committee on International Relations.

JOHN SPARKMAN,
Chairman, Committee on Foreign Relations.

(III)

LETTER OF TRANSMITTAL

DEPARTMENT OF STATE,
Washington, D.C., January 31, 1978.

Hon. CLEMENT J. ZABLOCKI,
*Chairman, Committee on International Relations,
House of Representatives.*

DEAR MR. CHAIRMAN: I have the distinct honor to present the following reports in fulfillment of the annual reporting obligations under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961.

Sincerely,

DOUGLAS J. BENNET, Jr.,
*Assistant Secretary
for Congressional Relations.*

Enclosure:
As stated.

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COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES

INTRODUCTION

The following human rights reports are submitted pursuant to Section 116(d)(1) and Section 502B(b) of the Foreign Assistance Act of 1961, as amended.* As called for by these Sections, these reports cover those countries receiving economic assistance under Part I of the Act or proposed as recipients of security assistance. This is not a worldwide survey and does not include reports on numerous countries with serious human rights problems.

*Section 116(d)(1) provides as follows:

"The Secretary of State shall transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate, by January 31 of each year, a full and complete report regarding --

"(1) the status of internationally recognized human rights, within the meaning of subsection (a), in countries that receive assistance under this part;..."

Section 502B(b) provides as follows:

"The Secretary of State shall transmit to the Congress, as part of the presentation materials for security assistance programs proposed for each fiscal year, a full and complete report, prepared with the assistance of the Assistant Secretary for Human Rights and Humanitarian Affairs, with respect to practices regarding the observance of and respect for internationally recognized human rights in each country proposed as a recipient of security assistance. In determining whether a government falls within the provisions of subsection (a) (3) and in the preparation of any report or statement required under this section, consideration shall be given to --

"(1) the relevant findings of appropriate international organizations, including non-governmental organizations, such as the International Committee of the Red Cross; and

"(2) the extent of cooperation by such government in permitting an unimpeded investigation by any such organization of alleged violations of internationally recognized human rights."

COOPER REPORT ON HUMAN RIGHTS VIOLATIONS

CONFIDENTIAL

Page 1

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AFRICA

BENIN

Benin is a small one party socialist state with very limited natural resources. It has experienced frequent changes of government since it became independent in 1960. The present regime, oriented on "scientific" Marxism-Leninism, has endured the longest of any and has offered some measure of stability. In January 1977 mercenaries landed at Cotonou airport and tried to take over the government by military force. Their effort ended in total failure. The social and economic goals set by the state are given precedence over integrity of the person and civil liberties.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

The Government of the People's Republic of Benin (GPRB) does not condone nor is there reliable evidence that it engages in torture. Amnesty International has received reports that, in 1975, some political prisoners were seriously mistreated and even tortured during their detention. We were not able to substantiate these reports nor have we received reports of serious mistreatment of those arrested following the January 16, 1977 mercenary attack.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Although rumors circulated in 1976 of persons being subjected to degrading treatment, their authenticity has never been substantiated. Prison conditions reflect the poverty of the country. Individuals who have openly criticized the Revolution have been sent to military camps for "revolutionary education." This involves standing for long hours reciting slogans and absorbing precepts of "scientific socialism." Indoctrinees usually have been released within two or three days. In 1975 and 1976, Amnesty International criticized GPRB treatment of political prisoners and asked for a commutation of eight death sentences pronounced upon coup plotters, many of whom were condemned in absentia. While the government did not respond to Amnesty International's appeal, it has never carried out any of the

executions. Current indications are that it does not intend to do so.

c. Arbitrary Arrest or Imprisonment

During the five years that the Revolutionary Military Government has held power there have been four actual or alleged coup attempts, each of which has been followed by a wave of arbitrary arrests, imprisonment of suspected accomplices or plotters, and threats against would-be enemies of the state. Amnesty International has reported that in 1975 persons protesting the circumstances of the death of the minister of the interior (allegedly shot for adultery) were arrested, held without trial and suffered ill treatment prior to their release. The gist of this report appears to be accurate. Immediately following the January 16 mercenary attack a large number of Beninese and foreigners were taken into custody and questioned but nearly all were released after varying periods of detention.

The number of political prisoners currently being held in Cotonou is estimated at about 50. Most of them were arrested in connection with the January 16, 1977 coup attempt. Alleged coup collaborators from the military are reportedly being held outside the city, but we do not know how many.

Detainees must spend a lengthy period in prison before positive action is taken. Authorities seldom notify families of arrest. Nor when the person detained is a foreigner do the authorities typically inform the appropriate embassies. A major cause of delay is bureaucratic, e.g., no detainee can be released without signature of the arresting officer whose identity in many cases is not clear. In some instances release must be approved by the minister of the interior but access to him is most difficult to obtain.

The best-known political prisoners are three former presidents (Maga, Apithy, and Ahomadegbe) and Captain Janvier Assogba, leader of the alleged coup d'etat attempt in 1975.

d. Denial of Fair Public Trial

The previous constitution was suspended and rule by decree instituted shortly after Mathieu Kerekou seized power in 1972. The legal system, which was crippled by abrogation of the former constitution was dealt a final blow by the state of emergency instituted after the January 16, 1977 attempted coup d'etat. Thus, no guarantees of an impartial public trial exist.

The government has in the past staged show trials of political prisoners. The new constitution, approved in September 1977, provides for public trial by "professional and non-professional" judges. It is too soon to tell how or whether this system will work.

e. Invasion of the Home

The January 16, 1977 mercenary attack led to widescale unauthorized searches of homes of Beninese and foreign nationals. Fears of a renewed mercenary attack have since abated; there have been no recent instances of arbitrary searches.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Economic policy is aimed at helping the poor, and specifically at improving education and health care. Limited government resources and many institutional and policy changes in the past few years have hampered development efforts.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

The GPRB's 1972 abrogation of the previous constitution and its efforts to transform Benin into a Marxist-Leninist state based on principles of "scientific socialism" led to suppression of independent political or

labor activity, demonstrations, free expression or any other activities implying criticism of the regime. The press is government-controlled and distribution of western publications is limited. Labor Unions are firmly controlled by the government. Although all religions are allowed to practice, the Kerekou Government, concerned about the power of local cult practices, has heavily curtailed traditional religious ceremonies. Christians have been harassed occasionally but churches continue to function normally. The only sect against which drastic action has been taken are the Jehovah's Witnesses who refused to acknowledge the legitimacy of the revolution. All expatriate members of this sect was expelled in April 1976 and their property confiscated.

The new 1977 constitution provides for freedom of speech, press, thought, assembly, association and demonstration (article 134). Article 136 also guarantees individual liberty to all citizens of the People's Republic of Benin. Again it is too soon to know the degree to which the new constitution will be implemented.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There are no restrictions on the movements of Beninese citizens within the country. Travel of foreigners within Benin is restricted. Although the government controls emigration and foreign travel, in fact, it has apparently not sought to prevent dissidents from leaving the country.

c. Freedom to Participate in the Political Process

Such freedoms as existed in Benin were suspended with the abrogation of the former constitution in 1972. The new 1977 constitution, however, makes provision within a one-party context for an elected assembly by universal adult suffrage. No date for elections has been definitively set. The People's Revolutionary Party remains the most important single element in the new political system.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

There is no record of requests for on-the-spot outside investigations of human rights conditions in Benin. The government would be likely to view such requests as interference in its internal affairs.

BOTSWANA

The government of Botswana has demonstrated a genuine concern for human rights and for political and civil liberties. The constitution which it inherited on its independence from Great Britain in 1966 provides specific guarantees for life, liberty and the security of the person. These have been respected in practice, and the government has committed itself to maintaining them in the face of rising regional turbulence and tension. Botswana maintains a democratic system of government, including free elections and a multi-party parliament, and tolerates public criticism of its policies. President Khama's personal dedication to human rights has been responsible for much of Botswana's good record, but a strong effort has been made to institutionalize these attitudes throughout the government and society.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There have been no allegations of torture in Botswana.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There are effective legal safeguards in Botswana against cruel, inhuman or degrading treatment or punishment of any kind.

c. Arbitrary Arrest or Imprisonment

There are effective legal safeguards in Botswana against arbitrary arrest, detention or imprisonment. There are no political prisoners.

d. Denial of Fair Public Trial

Persons charged with a criminal offense are presumed innocent until proven guilty in a fair and public trial with legal counsel.

e. Invasion of the Home

There are effective legal safeguards against arbitrary invasion of the home.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The government has given considerable attention to fulfilling the basic food and shelter needs of its poor. In 1977 it revalued its currency, despite the adverse effect on exports, specifically in order to place increased food purchasing power in the hands of the poor, who in Botswana constitute the overwhelming majority of the population and are heavily dependent on food imported from South Africa. Botswana policies designed to fulfill basic needs of the population include emphasis on agricultural development to meet the needs of the rural poor and on expanding educational programs, including vocational training.

Corruption is not a problem in Botswana. The small scale of society and the free (albeit government-owned and rather inexperienced) press militate against both petty corruption and the diversion of significant resources into the hands of a small elite.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Botswana guarantees in principle and permits in practice freedom of thought, speech, press, religion and assembly. This freedom extends to critics and political opponents of the government. The country's only daily newspaper is government-owned but independently edited and free of censorship. Private ownership of media is not prohibited, but has not so far proved economically feasible.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Freedom of travel within the country and abroad and the freedom to emigrate are also respected. Botswana imposes no special restrictions on foreigners wishing to enter but may be forced to do so in the future if her borders continue to be violated by foreign guerrillas and Rhodesian security forces.

c. Freedom to Participate in the Political
Process

Botswana is a multi-party parliamentary democracy which allows open campaign criticism of the government and free, secret-ballot elections based on universal adult suffrage. Botswana's small white minority participates freely in the political process and is represented in Parliament and the Cabinet. Registration, voting and public discussion of policy problems have been encouraged by the President.

4. Government Attitude and Record Regarding
International and Non-Governmental Investigation
of Alleged Violations of Human Rights

Botswana welcomes outside attention to and investigation of its human rights situation. Amnesty International believes the most serious human rights problem in Botswana involves not government actions but the status of the several thousand political refugees from neighboring states. It urges the government to continue giving them economic assistance and political shelter against any forced repatriation. Botswana has extended political asylum to refugees irrespective of their political orientation or race, but its ability to assist them economically is limited. In 1977 the U.S. donated \$6 million to help ease the financial burden placed on Botswana by the refugees.

BURUNDI

Social conflict between the majority (85 percent) Hutu ethnic group and the minority (14 percent) Tutsi group, has dominated the political, social and economic life of Burundi. While there are no important linguistic or cultural differences between these two ethnic elements, ancient social cleavages have contributed to an intense - at times fierce - competitive struggle for national predominance. An attempted coup in April in 1972 by the majority Hutu against the Tutsi government resulted in a government-sanctioned bloodbath that left 150,000 dead and an equal number of refugees. The new government under Colonel Jean Baptiste Bagaza has developed a strong policy of national reconciliation and reform designed to involve the Hutus much more fully in the political, social and economic life of the nation.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture is not part of the police interrogation practices in Burundi. Some brutality occurs during the questioning of common criminals, particularly if they have threatened violence against the police or used force in their alleged crimes.

b. Cruel, Inhuman, or Degrading Treatment or Punishment

The current system does not impose cruel, inhuman or degrading treatment or punishment. However, the ethnic massacres and atrocities of the mid-sixties and early seventies are a recent memory and their specter lingers.

Prisons are crowded and dirty, but prisoners are normally left to themselves and not abused.

c. Arbitrary Arrest or Imprisonment

Arbitrary arrest and imprisonment do occur, largely because existing legal standards are poorly understood by enforcement agents.

Several officials of the former regime remain under house-arrest. There are few, if any, other political prisoners.

d. Denial of Fair Public Trial

By law, all persons arrested must undergo expeditious public trial, but in practice the inefficiencies of the judicial system and the lack of trained legal personnel often cause long delays and a lack of fairness.

e. Invasion of the Home

Invasion of the home is rare, but it occasionally happens in politically-related cases.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The reform-minded new government has recognized that peace, economic growth and stability require much more attention to fulfilling the vital needs of its citizens. The new five year plan places special emphasis on increasing food production, controlling population growth and ameliorating the full range of government social services in rural areas.

Corruption is part of the Burundian way of life, as in many poor developing countries. The current government is trying to reduce corrupt practices and is preparing a trial of some eighty former officials and businessmen on corruption charges. The President himself has a reputation for scrupulous honesty.

3. Respect for Civil and Political Liberties Including:

a. Freedom of Thought, Speech, Religion, Press and Assembly

Freedom of religion is generally respected in Burundi. However, missionaries' involvement in social work with the poor who are inevitably mainly Hutu, has on occasion aroused government suspicion, and in some instances has led to actual expulsions of foreign churchmen. Strictly religious work, however, has not been affected.

There is no freedom of assembly or speech for political purposes without the express authorization of the government.

The press and the labor movement are government-controlled.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Movement is free within Burundi, as is foreign travel and emigration.

c. Freedom to Participate in the Political
Process

The military government rules by decree, without popular referendum procedures. Only one political party -- the government-sponsored UPRONA -- is permitted. Political activity is generally controlled by the Government.

4. Government Attitude and Record Regarding International
and Non-Governmental Investigation of Alleged
Violations of Human Rights

The previous government was very sensitive to outside investigation of the ethnic situation in Burundi after the communal violence of 1972-73 and refused to permit investigation. The present government has not had to face this issue, but it would likely not wish outsiders to assess its program on ethnic relations. Even though it is a positive program, public exposure and well-intentioned and helpful criticism would tend to exacerbate traditional sensitivities.

CAMEROON

Cameroon has a civilian government operating under a constitution and within a single party system. Its unique history has led Cameroon to make national unity a principal objective. Three European powers governed Cameroon -- Germany, Britain and France. Furthermore, an ethnically based and ideologically motivated guerrilla campaign, begun against the French and continued against the independent government, severely tested that government's ability to foster national unity. By the mid-sixties, however, the Cameroonian government had managed to assert its control over the area in conflict. In 1965, President Ahidjo organized the Cameroon National Union (CNU) as the country's single political party, an amalgamation of previously existing ethnic and regional parties. In recent years, as the threat of internal subversion has receded, political detainees have been released, and restrictions of civil liberties have been largely removed.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture is prohibited in Cameroon. This prohibition appears to be observed in practice.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Inadequate prison conditions result from financial woes and not from deliberate policies. In March 1977, Cameroon Presbyterian Church parishes organized a fund raising campaign to aid prisoners and bring their plight to public attention. Since then, the Cameroonian Government has stepped up its efforts to improve the training of prison officials, stressing the need always to regard prisoners as fellow human beings.

c. Arbitrary Arrest or Imprisonment

In 1976, Amnesty International selected Cameroon as one of its priority countries in francophone Africa and is currently investigating a number of alleged arbitrary arrests. The Cameroon Government has said that all remaining political prisoners were released in conjunction

with National Day celebrations on May 20, 1977. At the present time, we have no information on specific individuals being detained on political charges.

d. Denial of Fair Public Trial

Defendants are allowed a fair, public trial.

e. Invasion of the Home

Invasion of the home does not occur with government sanction. sanction.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education:

The government is actively seeking ways to improve the living standards of the nation's poorest segments. At least half of the new five year development plan (1976-81) deals with improving social conditions. Specifically, the government plans to expand the educational and health facilities for both urban and rural populations; increase employment opportunities, improve non-formal educational systems; provide professional training; and integrate youth into the development process. Some of these programs are already enjoying a fair degree of success.

Perhaps Cameroon's most ambitious plan is for the creation of a sound infrastructural base. The government has undertaken a project to improve the rail link between Yaounde and Douala in the expectation that a modern and efficient transport system will spur economic growth and benefit the rural population as has been the case with regard to the recently completed rail line between Yaounde and Ngaoundere. A port expansion program at Douala should bring about similar results.

In 1972, the country's three labor federations were united to form the National Union of Cameroon Workers, an affiliate of the CNU. Labor unions have little political or economic strength because of the small size of the salaried work force and government control over union activities. Strikes are banned in Cameroon.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

In fact, Cameroon is characterized by diverse ethnic and religious traditions which are not only tolerated but encouraged. Freedom of speech and the press is circumscribed within the single party system. However, the press, while subject to government control, is relatively outspoken and is often a source of admitted embarrassment to government leaders.

Freedom of religion is observed in a nation comprised of animists, Christians, and Moslems. Christian missionaries are free to carry out their duties throughout the country, including the Moslem north.

Freedom of assembly for social and non-political purposes is generally unrestricted. Political meetings, however, are organized and controlled by the Cameroon National Union (CNU), the country's single political party.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Cameroonians move freely throughout the country. International travel and emigration are usually unrestricted. Exit visas are required and are sometimes difficult to obtain, due to bureaucratic red tape. Occasionally, delays have resulted from the government's attempts to prevent certain individuals from leaving the country.

c. Freedom to Participate in the Political Process

Cameroon is a one-party state. The government does permit a considerable amount of discussion and competition among candidates vying for local or regional offices. Suffrage is universal, and elections for seats in the National Assembly are regularly scheduled. Only those candidates enjoying the CNU imprimatur, however, are allowed to have their names on the ballot.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights:

In the past, the government has been quite willing to allow outside investigation into human rights violations. Amnesty International was invited to attend a series of political trials in 1971 and the resulting report was received and acknowledged by government officials.

Recently, however, Amnesty International claimed that the government was being less responsive to its specific inquiries.

CAPE VERDE

Cape Verde is a single party republic, and does not yet have a constitution. Its basic laws are decreed by the Government and approved by the elected National Assembly. These laws incorporate Portuguese law (from post-revolution Portugal) with local modifications. During the colonial period, which ended in 1975, Cape Verde was spared much of the political repression common to other Portuguese colonies, and emerged at independence with traditional concepts of civil liberties and human rights basically intact. The Cape Verde government appears to be committed to upholding the basic rights and freedoms contained in the Universal Declaration of Human Rights, and it does not condone violations.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There is freedom from torture.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There have been no reports of cruel, inhuman or degrading treatment or punishment in Cape Verde, nor do we have reason to believe that such practices exist.

c. Arbitrary Arrest or Imprisonment

The absence of such capricious actions is the rule in Cape Verde. In June 1977, approximately 40 persons were arrested on the islands of Sao Vicente and Santo Antao for distributing anti-government pamphlets, attempting to provoke actions against the regime, and planning sabotage and the assassination of officials. Portuguese citizens involved in these activities were expelled to Portugal, reportedly following court hearings. The detainees have been guaranteed a public trial with right to defense counsel, but they have not yet appeared in court.

d. Denial of Fair Public Trial

The right to a fair public trial, with proper counsel, is observed in Cape Verde.

e. Invasion of the Home

There are effective legal safeguards against arbitrary invasion of the home.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Cape Verdean government has taken positive action to implement programs and seek foreign assistance to fulfill basic needs. Because of a prolonged drought which has lasted for more than nine years, virtually all Cape Verdeans are poor. The government's steps to improve the lot of the poor majority by means of new programs in health, education, agriculture and irrigation have been recognized as practical and viable.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

The freedoms of religion and assembly are generally respected, and church and civic organizations are active. A mass trade union organization is being created by Cape Verdean workers. Most of the nation's media is owned or controlled by the ruling party, and those media in private hands tend to exercise prudent restraint.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There are no restrictions on these freedoms.

c. Freedom to Participate in the Political Process

Cape Verde is a single-party state and opposition parties are not permitted. However, one need not be a member of the ruling party, the African Party for the Independence of Guinea-Bissau and Cape Verde (PAIGC), in order to hold elected or appointed office. A 56-member National Assembly was elected by universal suffrage in June 1975, and meets periodically to endorse laws drawn up by the Council of Ministers, which is chosen from among the members of the National Assembly.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

There have been no requests for outside investigations. Cape Verde's response to any future requests would likely depend on the nature of the allegations and the reputation of the organization requesting the investigation.

CENTRAL AFRICAN EMPIRE

Constitutional rule returned to the Central African Empire (CAE) after an eleven-year hiatus in December 1976 with the proclamation of the Empire. Despite authoritarian rule, the Central African record during the past decade on some aspects of human rights, e.g., freedom of religion and the involvement of women, is fairly good. The new constitution contains a specific bill of rights which guarantees basic civil and religious liberties and some political rights. National and party elections should take place before the end of the year.

The nation's human rights image has suffered recently from isolated individual cases which have received widespread media attention -- such as the detention of two western journalists in July 1977, earlier (1972) ear cutting and public beating incidents, and the incongruity some journalists saw in the nature of the coronation ceremony in a poor country.

During the past four months the government of the CAE has actively sought to improve its human rights record. It has entered into a government-to-government human rights dialogue with the United States; made decisions and adopted policies designed to ameliorate the situation; and strongly reiterated its intention to continue the current trend.

1. Respect for Integrity of the Person, Including Freedom from:

a. Torture

The extent to which torture is utilized, if at all, is unknown.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Prison conditions are inadequate by international standards. Detainees are mistreated and beatings are a common form of discipline.

The last incident of public mutilation took place in 1972 when the right ears of several convicted thieves were removed. This incident received a considerable amount of unfavorable external publicity. Partially as a

result of the extremely negative foreign reaction, the government decided to stop the practice. The dismemberment statutes have been repealed and no further incidents have been reported.

In July 1977 two western journalists were arrested for violation of CAE immigration and censorship laws. The American was summarily expelled, but the Briton was beaten and incarcerated for a month. He was later expelled when the government decided not to press charges.

c. Arbitrary Arrest or Imprisonment

According to local law, detention without charges is limited to three days, but can be prolonged to six days. At that point, a detainee must either be formally charged or permitted to go free. In practice, however, the preventive detention of many persons is prolonged without judicial recourse.

Several of the seven political prisoners reported by Amnesty International in February 1977 were released in December 1977.

d. Denial of Fair Public Trial

The legal system of the CAE is patterned on the French judicial system. A number of conscientious jurists attempt to see that laws are justly executed and that correct legal procedures are applied in a fair and public manner.

A potential challenge to the authority of the traditional civil court structure is the Permanent Military Tribunal. The jurisdiction of the tribunal now extends to all political crimes and all cases of embezzlement or misappropriation of state funds or property. The notable human rights aspects of the Tribunal include: 1) no right to counsel, 2) no right of appeal, and 3) restriction to the Emperor of the decision to prosecute before the Permanent Military Tribunal.

e. Invasion of the Home

Inviolability of the home is guaranteed in the new imperial constitution. In practice it is not respected in politically-related cases.

2. Recent Trends in Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The development strategy of the government of the Central African Empire is summed up in the national slogan, "to clothe, to house, to feed, to care for, and to educate."

Within the limited resources available to it, and with the assistance of foreign donors, the nation has had some success in implementing this mandate. Expansion of health, education, and agricultural services has high priority as does the creation of a rural development corps.

Corruption exists, but it is difficult to establish the extent to which corruption hinders the achievement of national economic goals. When caught, offending officials are imprisoned.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Religion, Press and Assembly

The CAE continues to enjoy a good record concerning the freedom of religion. Religious organizations are an integral part of life in the CAE and are protected by the new constitution. The right of access to knowledge, right of association and rights of privacy are also guaranteed, except when deemed interference with the security of the state. International mail is regularly censored.

The press is government-controlled and assembly for political purposes is subject to government authorization. There is in practice flexibility within the system and some limited freedom of expression. For example, the American Ambassador was recently asked to debate U.S. human rights policies on national television. The government does not seek to impose ideological conformity or restrict intellectual enquiry.

The national trade union is a government sponsored institution. Nonetheless, it has in the past had latitude for independent action on bread-and-butter issues and negotiation with expatriate employers.

b. Freedom of Movement within the Country, Foreign Travel and Emigration

Although there are security checks for travelers, there are few limitations on movement within the country. There are few restrictions on foreign travel or emigration.

c. Freedom to Participate in the Political Process

The December 1976 change in the form of government from republic to monarchy marked the government's announced intent to restore democratic institutions. The constitution calls for creation of a national assembly which will join the executive branch as one of the two main elements of the government, under the overall supervision of the Emperor. All deputies will be required to be members of the sole political party and will enjoy limited parliamentary immunity. Party and national elections should take place in 1978. All adults will be eligible to vote.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

No outside independent organizations, to the best of our knowledge, have requested permission to investigate human rights violations in the Central African Empire, despite the recent detentions of two western journalists. The Central African Empire invited Amnesty International to visit the CAE and to attend the coronation ceremonies.

CHAD

Chad is ruled by a military government. The armed forces seized power in April 1975 claiming that the previous regime had mismanaged the economy and failed to unite the country and end the guerrilla war which has been going on for more than a decade. While certain rebel groups have reconciled their differences with the new government, the main insurgency continues. Following the military coup, a number of political prisoners were released. However, since the government considers itself to be in a state of war, it believes that certain political rights, such as free speech, must be restricted for the time being.

1. Respect for the Integrity of the Person, Including Freedom from

a. Torture

There are no reports that the current government has practiced torture.

b. Cruel, Inhuman or Degrading Treatment or Punishment

The present provisional government put an end to forced participation in physically grueling tribal initiation rites when it assumed power in April 1975. There are no reports that cruel, inhuman or degrading treatment or punishment are now practiced, nor do we have any evidence of arbitrary deprivation of life.

c. Arbitrary Arrest or Imprisonment

When it assumed power the provisional government released a number of political prisoners detained by the previous government, but placed several members of the previous regime under arrest. The current government has not been able to end the longstanding rebellion in northern and eastern Chad. As a result, the government has felt obliged to curtail personal liberties in the primary regions of conflict. Arbitrary arrests of suspected guerrillas have occurred.

d. Denial of Fair Public Trial

The right to a fair public trial is generally observed in civil and criminal cases not involving political acts. Most political detainees have been tried by military courts or by special tribunals of the Ministry of Interior, some public and some closed. Other detainees have been released without trial because of lack of evidence.

The coup plotters who attempted to assassinate the President in April 1976 were tried before a public military tribunal. A variety of sentences, from exculpation to execution, were handed down by the tribunal, after a full hearing of the available evidence. In April 1977 several military officers who attempted to assassinate the President were convicted of armed insurrection by the Supreme Military Council in a closed court-martial and subsequently executed.

e. Invasion of the Home

This does not appear to be generally practiced, although it could be authorized in accordance with security measures to cope with the guerrilla insurgency.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

As a very poor country, Chad has actively sought foreign aid to improve the living standards of its nationals. The provisional government has publicly committed itself to improving the standards of living of its citizens by raising the per capita income, promoting development of its agricultural sector and improving social services and educational programs. It has been relatively successful in its efforts to obtain external aid for these social programs. Most of the current programs concentrate on basic institutional development, and it is still too early to measure their impact on Chad's national development.

3. Respect for Civil and Political Liberties Including

a. Freedom of Thought, Speech, Press, Religion and Assembly

Freedoms of thought, speech, religion or assembly are not specifically guaranteed by law. The government makes no attempt to foster intellectual or ideological conformity, but the freedoms of speech and assembly are restricted for security reasons. The Press is state-controlled in Chad. Chadian nationals and foreigners in Chad are free to practice the religion of their choice. The provisional government is reportedly drafting a new judicial code which is to guarantee a measure of civil and political rights to Chadian nationals. Although a former French colony, traditional law continues to be highly influential throughout Chad. Trade unions are prohibited from engaging in any political activity, and the right to strike exists only within the private sector because of the national emergency.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Since there is an active insurrection in parts of Chad, freedom of movement is restricted. Emigration and foreign travel are occasionally controlled for security reasons due to the insurgency.

c. Freedom to participate in the Political Process

Only those individuals designated and appointed by Chad's governing military leaders are free to participate in the political process. The military has postponed plans to return the country to civilian rule until the internal security situation has improved.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

Under the previous regime, various international and religious organizations proposed that Chad be investigated for serious government violations of human

rights, particularly in the area of political and religious freedoms. Since the new regime has been in power, there have been no proposals for outside investigation of alleged human rights violations in Chad. We do not know how receptive the government would be to such an investigation.

DJIBOUTI

The Republic of Djibouti, formerly the French Territory of Afars and Issas, has been independent since June 1977. Our information on the human rights record of the Djibouti Government dates from that time. Until recently there were no indications of any human rights violations. However a mid-December terrorist explosion in a popular bar has provoked stringent security measures by the Djibouti government which fears that the incident is the beginning of a major attempt to shatter the fragile political consensus established just before independence.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There have been private allegations that some torture has been practiced in pursuing the investigation of the terrorist incident. We do not know whether the charges are justified.

b. Cruel, Inhuman or Degrading Treatment or Punishment.

Beyond the allegations noted in 1.a., we have no indication of cruel, inhuman or degrading punishment. We have no information on prison conditions.

c. Arbitrary Arrest or Imprisonment

It is impossible for us to judge whether any of the arrests which have occurred following the terrorist incident can be called arbitrary. Those recently arrested have been taken into custody because of suspected connection with a terrorist campaign.

d. Denial of a Fair Public Trial

Trials in ordinary civil and criminal cases are public and appear to be fair. There has not been enough time since independence to determine how "political" cases will be handled.

e. Invasion of the Home

It is unlikely that people suspected of connection with or terrorist groups are free from arbitrary search and seizure of personal possessions.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education.

The new government of the Republic of Djibouti is seriously concerned about the economic progress of the country.

Within its very limited resources it is attempting to stimulate economic development to meet the needs of the mass of the people. It has been seriously handicapped, however, by the economic dislocation caused by the Ogaden conflict between Ethiopia and Somalia, which has resulted in the cutting of the railway from Djibouti to Addis Ababa, Djibouti's main economic resource, and in a large influx of refugees.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Djibouti does not yet have a constitution, but is proceeding on an ad hoc basis with a modified form of the government inherited from the French. We have no information on the degree to which freedom of speech and assembly may have been curtailed during the present political and security crisis. There is freedom of religion in Djibouti. We have no indication that the local press is censored.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration.

We have no indication that freedom of movement by Djibouti citizens has been curtailed, either within or outside the country.

c. Freedom to Participate in the Political Process.

The opportunity for popular participation in the political process has been enhanced by independence; freedom of political participation has not been limited. There is universal adult suffrage.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights.

The government of Djibouti is committed to the establishment and preservation of a liberal and economically progressive state and is mainly responsible for what progress has been made in these directions since independence.

There have been no requests for inspection of Djibouti's human rights record, and no independent body has yet charged the government of Djibouti with violations since its independence.

ETHIOPIA

Respect for human rights in Ethiopia, not well observed by the autocratic regime of Emperor Haile Selassie, has deteriorated since the assumption of power by the Ethiopian Provisional Military Government (EPMG) in September 1974. The human rights situation is deeply affected by the political revolution currently in progress and by armed conflict against the secessionist Eritreans as well as against other opponents, including Ogadeni Somalis supported by Somalia.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

We have received a few allegations of torture which appear to be valid.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There have been no substantiated reports of cruel, inhuman or degrading treatment or punishment. However, under the prevailing wartime conditions excesses often occur, perpetrated both by government forces and their opposition. In an effort to check active opposition, and particularly to disarm urban terrorists groups, the EPMG has organized several wide-ranging search and seizure programs. One such campaign became haphazard and unsupervised in March 1977, resulting in numerous deaths and arrests. Another occurred in December 1977 when there were reports of widespread executions and numerous bodies were found in the streets as if on display. This recent campaign, officially labelled "red terror" by the government, is continuing in 1978.

c. Arbitrary Arrest or Imprisonment

The use of arbitrary arrest and the lengthy imprisonment of opponents of the government has been common. For example, the wives and children of many of the 60 high-ranking officials summarily executed in 1974 by the regime remain in prison.

d. Denial of Fair Public Trial

Denial of fair public trial is a common occurrence in Ethiopia.

e. Invasion of the Home

As part of the government's search and seizure programs, neighborhood associations (Kebeles) were armed and authorized to carry out indiscriminate searches of homes, vehicles and persons in an effort to locate weapons and anti-government literature.

2. Government Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Although the revolutionary turmoil has in part blocked realization of this goal, government policy seems genuinely aimed at raising the social and economic level of the masses. Centuries of feudalism seem to have been dealt a fatal blow by EPMG actions. The approach of the government, however, is heavily ideological, and it tolerates no opposition to its approach or methods.

The government's land reform program has ended the widespread ownership of land by an oppressive aristocratic caste (this was formerly most striking in the areas inhabited by non-Amharic people, notably the Galla-peopled Southwest). More food is now consumed or stored by the rural populace than was the case under the Emperor. There appears to be considerable satisfaction among the peasant class, which makes up the bulk of the population, with the economic and social gains achieved to date.

Health care at best is rudimentary in Ethiopia, but its improvement is being given top priority by the government. The EPMG is cooperating with the World Health Organization in eliminating the last vestiges of smallpox from Ethiopia; Somalia is the only other country in the world where smallpox is still reported.

Corruption in the Ethiopian Government is not widespread.

3. Respect for Civil and Political Liberties,
Including:

a. Freedom of Thought, Speech, Press, Religion
and Assembly

With the exception of religion, these rights are non-existent in Ethiopia. Ethiopia's labor union movement is subservient to the EPMG, which has destroyed the relative independence the movement once enjoyed.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Travel abroad by Ethiopians is strictly controlled. Except for disruptions caused by the security situation, movement within the country seems so far to have remained unaffected by the revolution. Emigration has been virtually halted although a number of exceptions on humanitarian grounds have been reported. Social contacts between Ethiopian officials and many foreign diplomats (mostly Western) are probably unofficially discouraged and many private citizens no longer consider such contacts wise in the present political climate.

c. Freedom to Participate in the Political
Process

The EPMG rules by decree on the basis of a rough consensus provided by military personnel elected by military units. Ultimate power is vested in the Provisional Military Administrative Council (PMAC) or Dirg, which makes all major decisions. The Parliament and Constitution have been dissolved and no national elections are contemplated for the near future, although elections with universal adult suffrage have been held in urban areas for the Kebele Leadership Councils.

Of course, the absence of political parties or elections for national office seriously circumscribes the political life of the country. Nevertheless, for the mass of the populace opportunities to participate in

rudimentary political activities have been widened at the local level. The formation of urban and rural dwellers' associations have provided a vehicle for the Ethiopian masses to make a limited contribution to some of the political decisions that have a bearing on their lives. The masses had scant influence on such decisions under Haile Selassie.

4. Government Attitudes and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

In the government's view, the level of human rights enjoyed by the Ethiopian masses has improved measurably since the revolution. The EPMG points to economic gains and participation in the basic decision-making process at the local level as areas in which the government deserves credit. Proposals for international or non-governmental investigation of alleged violations would probably be regarded as interference in domestic affairs. The International Red Cross has been denied access by the EPMG to strife-torn Eritrea. This is the only such request that has come to our attention.

GABON

Gabon is a one-party state in which political power is effectively concentrated in the Presidency. Given the country's economic prosperity, small population, and lack of ethnic tensions, there is little opposition to the present leadership, which has been in office since 1967. While political activities are circumscribed to within the single party, civil and individual rights are generally respected.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture is prohibited by law in Gabon, and this prohibition appears to be followed in practice.

b. Cruel, Inhuman or Degrading Treatment or Punishment

We have no information that such treatment or punishment occurs.

c. Arbitrary Arrest or Imprisonment

Arbitrary arrest and imprisonment are rare. Political detentions have occurred, but the practice is not widespread or systematic. Prolonged detention is usually based on court sentences. We have no information to confirm that Gabon holds any detainees.

d. Denial of Fair Public Trial

The right to a fair, public trial is respected in civil and criminal cases.

e. Invasion of the Home

Invasion of the home does not occur with government sanction.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education:

Gabon's large mineral and timber resources (oil, uranium, manganese, unexploited iron ore) and its small population (600,000) have led to distortions in economic policy which the government has begun to address. Given its substantial foreign exchange earnings, Gabon has tended to import virtually everything it needs from Europe. An increasingly urban population has learned to live off of imported foodstuffs purchased at inflated prices because of domestic production short-falls. Earlier Gabonese capital investment programs focused primarily on development of mineral resources. In the past year, however, the government has become increasingly aware of the need to improve agricultural productivity, and to better the condition of the rural dweller.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Freedom of thought and speech are generally unrestricted except in the political domain. Although President Bongo has converted from Catholicism to Islam, there are no restrictions on religious worship or missionary activities in the country. While there are also no legal restrictions on the right of assembly, the existence of a single political party, the Democratic Party of Gabon (DPG), and a government-approved labor federation means that in practice all assemblies for political purposes above the village level require de facto government approval. Organized labor in Gabon is closely affiliated with the ruling political party. The press is government controlled. The government makes no effort to restrict freedom of thought or intellectual enquiry.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There are no significant restrictions on emigration and the freedom of movement within or travel outside the country.

c. Freedom to Participate in the Political Process

Gabon is a one party state and all candidates for political office must have the approval of the party. The President is elected by universal suffrage for a seven-year term concurrently with the deputies of the unicameral National Assembly.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights:

Gabon has not always been responsive to requests for outside investigations. Although Amnesty International did not include a section on Gabon in its 1977 report, the 1976 report stated that the Gabonese government did not cooperate with the organization's campaign for a general amnesty in the country. However, the report states that in December 1975, President Bongo announced an amnesty for all political prisoners who were sentenced six months earlier, with the exception of one.

THE GAMBIA

The Gambia is one of the few functioning multi-party democracies in Africa. Respect for human rights is guaranteed in the constitution and observed in practice. The Gambia is a strong backer of U.S. initiatives to establish majority rule in southern Africa, and is a firm supporter of our human rights policies. In Africa, in regional organizations such as the OAU and the Commonwealth, and in the United Nations, The Gambia has been in the forefront of those nations insisting on respect for human rights.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There is no evidence of torture in The Gambia.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There is no such punishment in The Gambia, nor are there any reports of arbitrary deprivation of life.

c. Arbitrary Arrest or Imprisonment

There have been no instances of arbitrary arrest or imprisonment.

d. Denial of Fair Public Trial

Fair public trials are guaranteed by law and provided in practice.

e. Invasion of the Home

The home is inviolable, both in law and in practice.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

All government policies are tailored to respond to the needs of the poor. In this rural, agricultural nation with a small population and limited resources, the needs of the poor are the major focus of government activity.

3. Respect for Civil and Political Liberties, Including:

- a. Freedom of Thought, Speech, Press, Religion and Assembly

The Gambia's record and practice respecting these rights rank among the best in the world.

- b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There are no restrictions whatsoever on these freedoms.

- c. Freedom to Participate in the Political Process

There is full freedom, under the law and in practice, to participate in the political process. The nation's election of April 4-5, 1977 was hotly and openly contested by the four Gambian political parties. Opposing political views are broadcast and published freely. There is universal adult suffrage.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

There has never been to our knowledge an allegation of human rights violations in The Gambia or a request by any international body to inspect or investigate human rights conditions in The Gambia. The government would be likely to respond affirmatively to any reasonable request of this kind.

GHANA

Ghana is ruled by a military government which came to power in January 1972, when it overthrew the elected government of Kofi Busia. Upon assuming power the military government suspended the 1969 constitution and banned political parties. These measures remain in force and the government rules by decree. The civil judicial system has continued to function. The current regime recently initiated a program to return Ghana to a form of constitutional rule which includes human rights guarantees. The Ghanaian government has applauded the commitment of the US government to the advancement of human rights. It has also nurtured basic Ghanaian customs and traditions which conform to internationally recognized human rights.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture is not officially countenanced in Ghana. However, public testimony was given by defendants at two 1976 trials that torture was either used or threatened in order to obtain statements from them. The Ghanaian government allowed this testimony to be given and reported in the press. There have been no reports of torture in Ghana since the 1976 trials.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Few cases of civil, inhuman or degrading treatment have been documented, mostly dating from 1972-74, and in such cases the perpetrators were disciplined. Amnesty International is protesting some sentencings in Ghanaian courts including 5-8 years at hard labor for three men convicted of sedition in 1975 and the death sentences of five individuals convicted of subversion in May 1976. Legal and procedural safeguards against cruel, inhuman or degrading treatment or punishment, nonetheless, appear to be effective in the vast majority of cases.

c. Arbitrary Arrest or Imprisonment

An active bar association, independent courts, and the right of habeas corpus serve as restraints against arbitrary arrest or imprisonment. Ghana has had provisions for preventive detention almost continuously since independence. Since 1973 the use of preventive detention has been limited, and reasonably prompt judicial action is taken to protect defendants. Although the government claims there are no political prisoners in Ghana, the Ghana Bar Association asserts that there are approximately 450 such individuals currently in detention, 175 of whom it claims were taken into custody without any court order or executive decree. The case is sub judice.

On July 31, 1977, Amnesty International listed Joseph H. Mensah and Ibrahim C. Quaye as Ghanaian legislators imprisoned on political charges. Mensah and Quaye were charged with sedition by the Ghanaian government for authorship of a pamphlet on the Ghanaian economy. The government considered the pamphlet, which Mensah admitted writing, to be in violation of Ghana's criminal code. Mensah and Quaye were given a public trial and were represented by lawyers. On November 21, 1975, they were found guilty. Mensah was sentenced to eight years imprisonment and Quaye five years. Their lawyers are appealing the verdicts.

d. Denial of Fair Public Trial

Fair and public hearing, with the accused having the right of counsel, before independent national tribunals is the rule. Alleged exceptions are noted in l.c. above.

e. Invasion of the Home

The sanctity of the home is respected; search warrants are required.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Ghana's recently published development plan recognizes the government's responsibility to fulfill the basic needs of food, shelter, health care and education. The plan also notes the problems (poor production, inflation,

lack of foreign exchange, etc.) which cause difficulties in the fulfillment of these needs. The Ghanaian government has emphasized programs designed to respond to the needs of the rural poor, but implementation of such programs has been uneven. For example, "Operation Feed Yourself", which was designed to make Ghana self-sufficient in food production, did well in years of adequate rainfall but has fared poorly during the past two years of insufficient precipitation.

Drought conditions in northern Ghana led to food shortages during the first nine months of 1977. Foreign donors, including the United States, provided emergency food, and Ghana purchased about 200,000 tons of foodstuffs to meet emergency demands. OXFAM and the Agency for International Development reported cases of diversion of some food to individuals and groups not severely affected by the drought, and the Ghanaian government has responded by replacing some senior officials and by taking steps to ensure that supplies reach the needy.

3. Respect for Civil and Political Liberties,
Including:

a. Freedom of Thought, Speech, Press, Religion
and Assembly

With the important exceptions noted below these freedoms are respected in Ghana. Freedom of association is restricted by a ban on political parties. Labor unions, youth and university groups, church and civic associations, active bar associations, and some independent newspapers flourish. Although press freedom officially exists in Ghana and the government does not undertake to direct the day-to-day content of the media, it sometimes exerts control over press treatment of specific issues when it feels Ghanaian government interests are significantly involved. Freedom of expression is also hindered by a "Prohibition of Rumors Decree" which provides that any person who, with intent to bring the head of state or senior members of the government into hatred, ridicule or contempt, publishes any insulting matter by writing, print, or word of mouth shall be guilty of a crime punishable by five to ten years imprisonment. This decree was published in June 1977, but few cases have

been prosecuted. Persons who oppose positions advocated by the government are sometimes subject to harassment from government supporters.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

There are no Ghanaian restrictions on movement, travel or emigration.

c. Freedom to Participate in the Political
Process

At present political parties are banned, and the military regime rules by decree. On July 14, 1977, the Ghanaian head of state, General Acheampong, announced a timetable for a return to elected and constitutional government by July 1, 1979. Ghanaians have been registered to vote in a March 30, 1978, referendum on the concept of union government. A report issued in October 1977 by an ad hoc committee on union government recommended that a new government be created with a president, vice president, and unicameral parliament--all chosen by direct general elections; a cabinet appointed by the president; important advisory positions for senior military and police officials; an independent judiciary; a constitution enshrining human rights; and a free press. There would be no political parties permitted, however. Should the referendum be approved, a commission would draft a constitution for consideration by a constituent assembly, and parliamentary elections would be held on June 15, 1979.

4. Government Attitudes and Record Regarding
International and Non-Government Investiga-
tion of Alleged Violations of Human Rights

Ghanaian officials have been generally responsive to inquiries by such groups as Amnesty International. During a series of 1976 trials involving Ghanaians charged with subversion, General Acheampong invited members of the international press to attend the

court sessions, which were open to the public. An invitation to Amnesty International to observe the trial of Dr. Kofi Awoonor in October 1976, however, was cancelled at the last moment. We have no information that any on-site inspections from groups such as Amnesty International have been requested since that time.

GUINEA

Guinea is a one-party socialist state. Sekou Toure, has been its only President since Guinea's decision to break from the French community and declare its independence in 1958. France's precipitate departure seriously injured the economy of the new nation. A sea-borne invasion by Portuguese mercenaries in November 1970 exacerbated Guinea's concerns for its external security and led to a zealous investigation of all suspected traitors to the nation. Sekou Toure's socialist philosophy and policies emphasize ideological commitment as an incentive for production rather than material rewards. The Government of Guinea views domination of blacks by whites in southern Africa as Africa's primary human rights problem. Within Guinea the social goals set by the official party-state take precedence over the integrity of the person and civil liberties. Past threats to Guinea's security, especially the Portuguese backed invasion, have reinforced this attitude. There have been several reports of use of torture in the early 1970s. Recent incidents are difficult to document. Arbitrary detention for political offenses continues.

1. Respect for the Integrity of the Person, Including Freedom from:

- a. Torture

Jean Paul Alata's book "African Prison" and a 1977 report by the International League for Human Rights describe cases of torture during the early 1970's. It allegedly was used under high-level sanction when tailored confessions were required. Not only Guineans but foreigners reportedly were tortured. Some reportedly died under torture. Evidence is lacking about the more recent period. Amnesty International stated in 1977 that it continues to receive reports of systematic use of torture to extract confessions and of deaths from such torture. We have no first-hand information that would enable us to reach an independent judgment on these allegations.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Amnesty International has reported that prison conditions are said to be "extremely bad." Reports persist that prisoners are in some cases deprived of food and water. Some prisoners have reportedly died under these conditions. It is a reasonable assumption that prison conditions in Guinea, one of the poorest of the developing countries in the world, are well below western standards. Public beatings for thievery or other offenses have occasionally occurred, primarily to deter crime by harsh example. Those forced to confess to political crimes are publicly denounced in a degrading manner.

c. Arbitrary Arrest or Imprisonment

The government occasionally purges those suspected of plotting against it. Public officials who fall into disfavor are subject to detention. The number of "political" prisoners currently in detention has been estimated at less than 1,000. This figure includes some former senior government officials. Amnesty International reported that the total number of political prisoners in Guinea in 1977 may be conservatively estimated at 1,000. Given the lack of solid data available to us, we are not in a position to accept or reject this figure. The Guinean official gazette announced the release of 128 prisoners in September 1976, 150 more in January 1977 and an additional 89 between February and July 1977. These apparently included political prisoners. Additional prisoners were reported released during the May 14, 1977 celebration of the 30th anniversary of the Guinean Democratic Party, reportedly including some political prisoners. Following the August 1977 market women's riots, several hundred were briefly detained but all were released. Some 62 political prisoners were released in December 1977. These include some former high-level officials. The International League for Human Rights (ILHR) has submitted a detailed complaint about Guinea to the United Nations Human Rights Commission (UNHRC). The document is on behalf of French citizens imprisoned between 1970 and 1975 and several hundred imprisoned Guineans.

d. Denial of Fair Public Trial

Constitutional and statutory provisions for judicial procedures exist but do not seem to be consistently applied. Guinean law does not permit professional lawyers in private practice but provides for selection of well-educated private citizens to act as ad hoc defense attorneys. Some political cases may involve a public show trial in which the verdict has been determined on the basis of a prior "confession" and the presiding officials use the occasion for mass political education. Other political trials are held in camera.

e. Invasion of the Home

Police apparently enter homes in pursuit of suspects and to obtain evidence with constitutional safeguards taking second place to professed security concerns.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Government policy is directed towards improving the economic well-being of the people. A strong attempt is made to improve food production, health and education. Ideology is a predominant factor in public policy formation, however, and frequently limits options otherwise open for orderly, rational economic development. In the past, limited contact with the outside world has retarded development of adequate housing, education and health care.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

The government discourages dissent from its political and ideological tenets. Intellectual inquiry contrary to the prevailing ideology is not encouraged. Islam is officially encouraged, and Christianity tolerated. Assembly is subjected to police controls. The press

is government controlled and few publications are available. Labor unions are firmly controlled by the government.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Movement is subject to an extensive police and paperwork system. Legal entry into and exit from the country is strictly controlled. However, the borders are porous and more than one million Guineans are believed to have departed since 1958 because of political or economic conditions.

c. Freedom to Participate in the Political Process

The people are regularly exhorted to adhere to a continuing "revolution" which the single party-state conducts in their name. There is little freedom to dissent or not to take part in regime-directed political activity which guides most aspects of economic and administrative life. However, President Toure sees many petitioners and supplicants, and the government contends that the party-state structure and popular referendums provide adequate reflection of people's wishes.

4. Government Attitudes and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

An international investigation was made of the 1970 mercenary attack on Guinea, and the Guinean Government has expressed willingness for outsiders to observe its humanitarian practices. No such on-the-spot investigation is known to have taken place as yet. Information which has come out through relatives of political prisoners, exiles and released political prisoners form the basis of reports such as that the ILHR submitted to the UNHRC. The Guinean Government considers the ILHR report to be slander. In 1977 Amnesty International stated that it had attempted to make initial contact with the Guinean authorities with a view to intervening on behalf of political prisoners in Guinea and sending a mission to that country. We are not aware of the Guinean government's response to, if any, to Amnesty International initiatives.

GUINEA-BISSAU

Guinea-Bissau is a single party state whose constitution guarantees fundamental rights in accordance with the principles of the Universal Declaration of Human Rights. The Guinea-Bissau government appears to be committed to upholding the human rights guarantees outlined in the constitution, and it does not sanction violations. The origin of the Guinea-Bissau government--a clandestine state operating as an army of liberation whose principal goal was expulsion of the Portuguese--is still reflected in occasional overzealous actions by the state security apparatus. Guinea-Bissau declared its independence only in 1973, and the government is concerned about the security of its borders and about small and disorganized groups opposed to the current regime and operating outside the country. As these perceived threats to security decrease, as they appear to be doing, respect for human rights should be further enhanced.

1. Respect for the Integrity of the Person,
Including Freedom from:

a. Torture

There are no reports of torture in Guinea-Bissau.

b. Cruel, Inhuman or Degrading Treatment or
Punishment

Such actions are not countenanced in Guinea-Bissau.

c. Arbitrary Arrest or Imprisonment

The constitution guarantees the right not to be detained, arrested or condemned other than according to the law in force. However, the constitution also contains a provision which can be used to deny rights and liberties to those who "encourage colonialism, imperialism, racism, or tribalism." The current regime in Guinea-Bissau fought a 13-year war with Portugal to gain independence, and a number of those detained in the period following independence were in the employ of the colonial regime. In recent months the Guinea-Bissau government has granted amnesty to a number of political prisoners and reduced

the sentence of others. While the number of persons serving sentences for political offenses is not known, it is thought to be small.

d. Denial of Fair Public Trial

The right of defense is recognized and guaranteed to the defendant and the accused by the constitution. In the early days after independence a number of individuals arrested for political offenses did not receive public trials. In recent years, however, there have been no reported instances where defendants have been denied fair public trials.

e. Invasion of the Home

The constitution guarantees the inviolability of domicile and this guarantee is reportedly respected in practice.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Guinea-Bissau government has instituted development plans to decentralize at the regional level a number of economic programs. This decentralization of a planned economy is designed to be more responsive to local conditions, to promote rural development, and fulfill basic human needs. As the Guinea-Bissau government began as a liberation movement based in the rural areas, the aspirations of the rural poor and the improvement of their living standards have always been prime concerns of the regime. Agricultural development is the top priority of the government. The results of the new decentralization approach have been limited so far, but positive. Local participation in the planning process is genuine and working.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

The constitution guarantees freedom of expression, thought, assembly, demonstration, and religion. The freedoms of

thought, speech and assembly are generally respected. However, where they involve criticism and opposition to the current government and party, they are limited. Guinea-Bissau's media is controlled by the government. A mass trade union organization is being created, and about one-half of the nation's 4,000 salaried workers are members. Freedom of religion is respected.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Foreign travel is limited, except to neighboring countries, because of difficulties in obtaining hard currency. Exit visas for foreign residents are required and are sometimes difficult to obtain. We know of no bars to emigration.

c. Freedom to Participate in the Political
Process

Guinea-Bissau is a single-party state and opposition parties are not permitted. However, one need not be a member of the ruling party, the African Party for the Independence of Guinea-Bissau and Cape Verde (PAIGC), in order to hold elected or appointed office. Any citizen over 15 years of age is allowed to vote. In December 1976, local referendums on single slates proposed by the PAIGC were held to elect representatives who would choose the deputies for the National Assembly. In districts where the slates were rejected by the voters, new slates were proposed and approved.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of
Alleged Violations of Human Rights

There have been no requests for outside investigations; Guinea-Bissau's response to such requests in the future would likely depend on the nature of the allegations and the reputation of the organization requesting the investigation.

IVORY COAST

Ivory Coast is a one party state with a free enterprise economic system. Its economy has developed quickly, but has been characterized by widening income disparities. Felix Houphouet-Boigny has been President since 1960. He has been known for the use of "dialogue" to resolve internal and external issues. There are no known political prisoners. The National Assembly affords an opportunity for the free expression of political views within a single party system. President Houphouet-Boigny personally received a representative of Amnesty International in 1975. Amnesty International congratulated him for an amnesty which included some political prisoners. Ivory Coast has been elected to the UN Human Rights Commission.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There have been no reports of torture in the Ivory Coast. Torture is prohibited by law and is not condoned by the government.

b. Cruel, Inhuman or Degrading Treatment or Punishment

The lower economic levels probably experience brusque handling by law enforcement authorities but this is not believed to be severe. Arbitrary deprivation of liberty or life is not permitted.

c. Arbitrary Arrest or Imprisonment

This is generally not practiced. The government will take firm measures to suppress public protests or plotting against the government. The only recent instance was temporary detention of students in early 1977, all of whom to our knowledge were released. In October 1975 Amnesty International wrote President Houphouet-Boigny to congratulate him on an amnesty for some 5,000 prisoners, including some 85 political prisoners. The government states that there are now no political prisoners and we are not aware of any.

d. Denial of Fair Public Trial

The right to fair public trial, patterned after the French system, is to our knowledge observed. There is an active bar association in Ivory Coast.

e. Invasion of the Home

Legal safeguards against arbitrary searches are to our knowledge respected.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Ivory Coast has a relatively prosperous and growing economy which is characterized by widening income disparities, but the government has numerous programs to uplift the urban and rural poor and has received assistance from multilateral organizations for this purpose.

The government tends to emphasize capital and infrastructure development over social programs.

Corruption is a matter of concern for the Ivory Coast's leadership since it diverts resources from the poor. There have been many rumors of corruption, some on a substantial scale, at high levels. Some of these reports are probably true. Stiff anti-corruption legislation was passed by the National Assembly in June 1977. In July 1977 many cabinet ministers were relieved of their positions. Some of these were rumored to be corrupt.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Freedom of thought, speech, and religion is generally observed, as is freedom of assembly unless the assembly is perceived as leading to a disturbance, in which case temporary detention may be employed. The press is

government-controlled but many non-government publications are available. Labor unions are closely tied to the government party but have a fair degree of freedom in representing worker viewpoints to the government and party. The government does not attempt to enforce ideological conformity or abridge intellectual inquiry.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

The Ivory Coast exercises only minimal control over domestic travel. Foreign travel and emigration are free.

c. Freedom to Participate in the Political Process

Ivory Coast is a one-party state. Felix Houphouet-Boigny has been President since 1960 and has regularly been reelected by overwhelming majorities. There are no constitutional or legal restrictions against opposition parties, but they do not exist and there has been little or no organized political opposition since independence although there have been some instances of coup plotting. Both the President and the National Assembly are elected by universal adult suffrage.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

Ivory Coast has evinced a cooperative attitude toward inquiries into its human rights situation. In 1975 President Houphouet-Boigny personally received a representative of Amnesty International. We are not aware that any other organization has inquired into the human rights situation in Ivory Coast.

KENYA

Kenya's political system and atmosphere are among the more open and lively in Africa. The Kenyan Government takes pride in the fact that the fundamental rights and liberties of its citizens are enumerated in the constitution, and in the existence of an independent judiciary to protect those freedoms. Nevertheless, the government also has and sometimes uses detention provisions and other restrictive powers, which it strongly defends as necessary in order to maintain law, order and public security. These powers have sometimes been used to silence critics of the senior leadership.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There is no indication that torture is practiced in Kenya.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There are effective legal safeguards against cruel, inhuman or degrading treatment or punishment, although prison conditions are very poor.

c. Arbitrary Arrest or Imprisonment

Political detention is permitted under the Public Security Act. Detainees must be informed of the reasons for their detention within five days of arrest, and they have the right to review of their cases every six months by a special tribunal. The tribunal is, however, appointed by the President, meets in camera, and its decisions are non-binding. The incidence of politically motivated arrests under these provisions since independence has been low. Recent cases, however, include two prominent dissident members of Parliament arrested in the aftermath of the March 1975 murder of a leading parliamentary critic of the regime, the arrest in May 1977 of a vocal parliamentary backbencher who had alleged corruption on the part of high government officials,

and the arrest at the end of 1977 of a prominent novelist whose works strongly criticized the Kenyan elite. The total number of persons thought to be detained at present under presidential order is estimated at less than ten.

d. Denial of Fair Public Trial

In detention cases under the Public Security Act, the authority of the regular courts is limited to ensuring compliance with certain procedural rights; the courts cannot question the need for the detention. This exception aside, the right to a fair public trial is respected in Kenya.

e. Invasion of the Home

The generally high standard of impartiality of the Kenyan courts has been paralleled by respect for due process on the part of Kenyan authorities. As a consequence, the sanctity of the home and other key concepts of English Common Law are respected in Kenya.

2. Governmental Policies Relating to the Fulfillment Such Vital Needs as Food, Shelter, Health Care and Education

Kenya's economic development policies, emphasizing free enterprise and the profit motive, have produced a record of economic growth that is unusually good for Africa. The government has developed a number of policies responding directly to the fundamental needs of the poorer segments of the population. These programs include both regulatory measures such as controls on the price of basic foodstuffs and development programs aimed at employment generation in the urban areas and improvement of conditions for smallholders in the rural areas. Health care and education are also priority areas for government development spending. These policies notwithstanding, however, major gaps exist between the haves and the have nots in Kenya.

High-level corruption is a problem in Kenya. It is not clear, however, to what extent corruption has

actually diverted resources away from uses which would raise the overall standard of living and benefit the poor majority.

3. Respect for Civil and Political Liberties,
Including:

a. Freedom of Thought, Speech, Press, Religion
and Assembly

Freedom of expression and communication in Kenya can be restricted under various sections of the penal code. The existence and occasional use of the detention laws exerts an inhibiting influence on public exchange of views on sensitive political topics. The government openly discourages student political activism, which in 1975 resulted in the temporary closure of the University of Nairobi. Although there is no formal censorship of news copy, government guidelines are issued on politically sensitive issues and are usually observed by the media. There is also a degree of self-censorship. However, Kenya's press is active and assertive in reporting and commenting on internal developments.

Freedoms of assembly and association are limited by the Public Order and Police Act which gives local administrative authorities and police wide powers to control public meetings. It is an offense not only to convene an unlicensed meeting, but also to attend one. With these powers, the government can prevent meetings by political opponents; the Act has been used in a few cases. Similarly, under the Societies Act the government can refuse to register any society that it believes may pursue activities harmful to public security. One opposition political party remains proscribed under this Act, and the government used the same powers to ban the Jehovah's Witnesses in 1973; in the latter case, however, the government later revoked the ban when threatened with a court test of its constitutionality.

Kenya's trade union movement is active and vociferous.

There is full freedom of religion in Kenya.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Under the presidential detention power, individuals may be restricted in their movements within the country. Foreign travel and emigration are not restricted.

c. Freedom to Participate in the Political Process

Kenya has a one-party system, and the government has substantial powers to restrict political activity, as set forth in 3a above. At the same time, political activity within this framework is open to virtually all Kenyans and is vigorous. Parliamentary elections in 1969 and 1974 featured many lively contests between multiple candidates and resulted in the defeat of a number of incumbents.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Kenyan Government has in the past barred entry into Kenya by certain journalists who have been critical of President Kenyatta and his family. However, we know of no instances of requests for information from the major human rights organizations that have been refused by the Kenyan Government. Requests for entry by outside groups to investigate human rights conditions would presumably be subject to close scrutiny, particularly requests for entry for the express purpose of investigating the detention system and other aspects of the government's security powers.

LESOTHO

Lesotho has lacked written legal guarantees of human rights since the suspension of its constitution in 1970, four years after it gained its independence from Great Britain. Respect for human rights has been undermined by continuing political turmoil and the government's occasionally heavy-handed suppression of it. During the periods of greatest turbulence in 1970 and 1974, several hundred persons were killed in incidents of protest against the regime, and Great Britain temporarily suspended its program of budget support until order could be restored. In August 1975 Catholic and Protestant clergymen endorsed a nationwide interdenominational sermon deploring the deprivation of the Lesotho people of "their basic human rights." Since then, however, while continuing to curtail political and civil liberties, the government has shown increasing respect for the integrity of the person and has made an effort to improve the living standards of its poorest citizens. Instances of abuse of human rights of all kinds have declined as the regime has come to feel more secure, as foreign policy problems have diverted attention from domestic dissatisfaction, and as the nation's energies are increasingly absorbed by the problems of assuring economic viability and providing basic needs.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Isolated instances of torture are believed to have taken place during the periods of political turbulence referred to above. During the last two years no such incidents have been alleged.

b. Cruel, Inhuman or Degrading Treatment or Punishment

During the last two years no instances of treatment or punishment of this kind have been alleged.

c. Arbitrary Arrest or Imprisonment

Opponents of the regime face the possibility of arbitrary arrest and detention for renewable periods of sixty days without charge under emergency security legislation adopted in 1974. While this act has been freely used in the past, no persons are thought to be currently detained under its provisions.

d. Denial of Fair Public Trial

No trial is accorded to persons detained under the emergency security legislation referred to above. However, the judiciary in Lesotho has remained largely independent and will for the most part accord a fair public trial to persons whose cases are brought to the courts. Opposition leaders who were imprisoned following the 1974 attempt to overthrow the government received a full, public judicial hearing and were defended by legal counsel of their choice. None received the death sentence and several of the sentences were successfully appealed to courts of review. On the tenth anniversary of Lesotho's independence in 1976 a general amnesty was proclaimed for many of these imprisoned leaders. Some 26 who were not included in the amnesty still remain in prison.

e. Invasion of the Home

Despite the continued existence of legal provisions for detention without charge, arbitrary invasion of the home has not been a significant problem during the last two years.

2. Government Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

One of the poorest countries in Africa, Lesotho is largely dependent on foreign assistance to improve the economic welfare of its people. Its record in addressing itself to the needs of its poorest

citizens has been good. However, in the central area of relations with South Africa, its economic needs conflict with its political priorities. Prior to 1977, the government focused on economic development and the use of donor assistance to meet the needs of its rural poor in areas such as agriculture, health and education. In 1977, following increased friction with South Africa, Lesotho shifted to a policy of emphasizing self-sufficiency and economic independence from South Africa rather than development per se. The new policy implies greater attention to politically rather than economically motivated projects with the consequent danger of a lessened emphasis on attention to the needs of the poor. However, the government continues to stress a desire to commit the largest part of donor assistance to projects which will benefit the rural poor majority.

While corruption exists in Lesotho, it has not been a major problem or diverted significant resources away from the poor into the hands of a small elite. Lesotho government officials do not set individual examples of ostentatious consumption or corruption.

3. Respect for Civil and Political Liberties,
Including:

a. Freedom of Thought, Speech, Press, Religion
and Assembly

Lesotho is free of restrictions on thought and religion. The radio and most printed media are government controlled. However, there are some small independent newspapers which are occasionally critical of government policies. Unrestricted labor organization and activity are not permitted, but a trade union movement does exist and unions are allowed to bargain collectively with employers and enter into contracts. There are no legal guarantees of free speech, and in practice there are restrictions on freedom of speech. There are sharp restrictions on freedom of assembly for purposes of political action.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Until recently, there were few restrictions on travel and emigration. However, in December 1977 the government invalidated Lesotho passports for travel to Botswana in an effort to gain greater control over dissidents, students and critics who might seek refuge in that country. On the other hand, Lesotho is giving strong consideration to acceding to the 1951 Convention on Refugees and its 1967 Protocol, and welcomes refugees from other nations into its own country. There are no restrictions on domestic travel.

c. Freedom to Participate in the Political
Process

Political rights have been sharply restricted by the present government, which came to power in 1970 through a coup d'etat following its unexpected defeat in free elections. Charging election irregularities and the threat of communist-inspired subversion, Prime Minister Jonathan suspended the constitution, dissolved Parliament, nullified the elections and declared a state of emergency under which he ruled by decree until April 1975. Since that time an appointed National Assembly, which includes some representatives from the opposition, has acted as an interim legislative branch. Despite agitation, no plans have been announced for elections, and the Prime Minister recently stated that none were contemplated.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of
Alleged Violations of Human Rights

The Government of Lesotho has not tried to cover up the violations of human rights that have occurred, and is willing to discuss past excesses openly. Most government officials believe the human rights

violations were unfortunate but necessary to maintain law and order during situations threatening civil war. The government has allowed outside investigation of alleged human rights violations. An Amnesty International representative attended the trials of the persons charged as a result of the January 1974 counter-coup attempt and provided relief assistance to the families of the imprisoned. Amnesty International protested the January 1976 re-detention of former opposition leader Kolisang, who had just been released from 60 days imprisonment. He was given a final release shortly thereafter.

LIBERIA

Liberia has had close ties to the United States dating back to the country's founding in 1822 by the American Colonization Society. Many of Liberia's institutions and concepts of government, including the separation of powers between the legislative, executive and judicial branches, are patterned after the American model. President Tolbert's True Whig Party has dominated Liberian political life for many years, but opposition groups exist and are legally entitled to contest elections. Liberia has one of the best human rights records in Africa.

1. Respect for the Integrity of the Person, Including Freedom from

a. Torture

Torture is neither sanctioned nor practiced in Liberia.

b. Cruel, Inhuman or Degrading Treatment or Punishment

In January 1977 public flogging of convicted thieves as a deterrent measure was reinstituted. This punishment has been infrequently applied, however, after some negative public reaction to the initial floggings. The government does not countenance arbitrary deprivation of life or involuntary servitude.

c. Arbitrary Arrest or Imprisonment

Arbitrary arrest or imprisonment has not taken place in recent years. There are no known political prisoners in Liberia.

d. Denial of Fair Public Trial

Access to the protection of the legal system is available to all. Trials are fair and public.

e. Invasion of the Home

There are effective legal safeguards against arbitrary invasion of the home.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Liberian Government is strongly committed to extending direct assistance to the country's poor. President Tolbert has repeatedly stated his firm dedication to a government responsive to the needs of his people. He has enthusiastically adopted the New Directions concept in U.S. aid with its emphasis on assistance to the rural poor. In the past several years Liberia's budget has been increasingly structured toward this end.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

These freedoms are constitutionally guaranteed, and respected in practice.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There are no restrictions on movement within the country, and regulations governing travel abroad are minimal. Liberia's emigration policies are free and liberal.

c. Freedom to Participate in the Political Process

The democratic process is open to all who meet the age and citizenship requirements. Liberia has been led by representatives of the True Whig Party since the late nineteenth century, and there are at present no other

registered national parties, though opposition groups exist and function freely. Opposition parties are neither proscribed nor suppressed, and many have existed over the years.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

Liberia's positive human rights record is due in no small part to the personal convictions of President Tolbert and the top leadership. Liberia has given its support to U.S. human rights initiatives in a number of statements made by the president and Foreign Minister Dennis. Leaders of other groups in Liberia have also responded favorably to this issue.

The Liberian government probably would welcome an investigation into human rights conditions in Liberia if conducted by a reputable international organization. None of the major international human rights organizations have raised human rights issues or called for investigations of human rights conditions in Liberia in recent years.

MALAWI

Malawi is a one-party state in which all effective political power is held by the Life President, Dr. H. Kamuzu Banda. The Malawi constitution provides extensive guarantees of civil and political rights. However, in 1968 an amendment empowered the government to suspend these guarantees if such action is deemed necessary "in the interests of defense, public safety, public order or the national economy."

The most serious violation of internationally recognized human rights in Malawi has been the arbitrary detention, without trial, of large numbers of Malawi citizens and some aliens. Over the last year, however, the situation has dramatically improved. While there is no sign that the Malawi Government is prepared to foreswear the use of its special powers or reinstate the suspended constitutional guarantees, almost all of those detained have been released in a series of presidential amnesties.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Reports received by Amnesty International (AI) allege sporadic torture and brutality directed against political prisoners, resulting in some deaths in detention. We have sought but have not obtained independent confirmation of these reports; some have been conclusively disproven. There is no evidence to suggest that the practice of torture is officially condoned by the Malawi Government.

During the 1972-73 period, AI charges that at least 50 and perhaps as many as 100 Malawian Jehovah's Witnesses were killed by Malawi Congress Party militants and mobs incited by them, often after torture. Harassment and beatings of Witnesses at that time were apparently widespread. AI and Jehovah's Witness groups have charged that such physical persecution was renewed following the return of many Witnesses from Mozambique in 1975, but these reports appear to have been unfounded.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Food is poor in Malawi's prisons, cells are crowded and medical care is minimal, but it appears that prison officials have generally made a conscientious effort to maintain humane conditions within the limited resources available to them. Political prisoners have been segregated from ordinary prisoners, and there have been allegations, which we have been unable to substantiate, that in some prisons they were subjected to degrading punishments for minor infractions of prison rules. Some former political prisoners have said, however, that boredom was the worst aspect of their detention.

c. Arbitrary Arrest or Imprisonment

Under the Public Security Regulations, summary detention has been common in Malawi. No arrest warrant is needed, no charges need be filed, and no trial is normally held. Typically, there has been no public notice of an individual's arrest, and many detainees have never learned why they were imprisoned. It is estimated that in the fall of 1976, 1000-2000 persons were in detention for "political" offenses. Detainees included former cabinet ministers and party officials, civil servants, university professors, students and a variety of others.

In September, 1976, two senior officials identified with extensive and capricious use of political detention powers were removed from office and charged with treason. In December of that year, the first in a series of mass amnesties took place. By mid-summer 1977, all but a handful of those detained without charge, including some who had been imprisoned for over a decade, had been released.

d. Denial of Fair Public Trial

The right of accused persons to a fair, impartial and speedy public trial is generally observed, insofar as their cases come under provisions of ordinary Malawian law. The familiar safeguards of English Common Law

are available to such defendants. However, no due process has been available to political detainees.

e. Invasion of the Home

In ordinary civil and criminal matters, the sanctity of the home and freedom from illegal search and seizure are normally protected in Malawi. In matters coming under the Public Security Regulations, however, such procedural safeguards are often ignored.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Malawi economy has performed well despite great poverty (\$150 per capita GNP) and a lack of mineral resources. Malawi's impressive 6.5 percent real average growth since 1964 has been achieved in part by paying artificially low prices to the farmer for exportable commodities. Nevertheless, given its available resources the Malawi Government has made a creditable effort to ensure that everyone has enough to eat and adequate clothing; has made a promising start on public housing; and is earnestly trying to bring basic educational and health services to the populace.

President Banda and his close colleagues have profited from their political power. Their land holdings are impressive, and the President's involvement in diverse business activities is common knowledge. Otherwise, official venality and corruption are virtually unknown in Malawi, and such breaches of the public trust are summarily dealt with when discovered.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Freedoms of thought, speech and assembly are sharply

circumscribed in Malawi. All forms of expression are censored. The press and broadcasting services are under total government control, and no criticism of the government may occur except as sanctioned by the President. In all areas concerned with politics and government, unconventional views are held or expressed at one's own risk. The Malawi Congress Party apparatus and extensive use of informants serves to enforce conformity. No dissent is tolerated; criticism of the Life President, however indirect or mild, is punishable by detention. Peaceful assembly is subject to careful government scrutiny and prior approval is required.

Non-governmental organizations in Malawi, including trade unions (under the Malawi Trade Union Council) are subject to strict government control.

Freedom of religion is honored in Malawi except in the case of the Jehovah's Witnesses and the Watchtower Bible and Tract Society, which were banned in 1967 and 1969 respectively as "unlawful societies ... dangerous to good government." In 1972-73, during the period of violent persecution referred to above, 15-20,000 Witnesses fled to Mozambique and Zambia. In August 1975, those who remained in Mozambique were forcibly expelled and returned to Malawi; subsequently, at least two thousand were brought to trial under the banning law, which provides penalties for membership in proscribed organizations, and were sentenced to prison terms, typically of two years' duration. Recent reports indicate that most, if not all of the Witnesses have now completed their prison terms and are being allowed to return to their home villages, where the Government has made special efforts to encourage their successful reintegration into village life.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Under the Public Security Regulations, the government has the power to restrict the movement, contacts and employment of any citizen. This power has typically been used to exercise control over persons

released from political detention. Such former detainees have usually been required to return to their home villages and to report at short intervals to the local party branch. Very few of the many persons released from detention in the past year have been rusticated in this manner, although none are yet known to have been permitted to resume their former employment.

The Government of Malawi has often denied passports to former detainees and to other suspected dissidents, a practice which restricts both short-term foreign travel and emigration. Aliens, whether visiting or resident in Malawi, are subject to summary deportation. In mid-1976, virtually all of Malawi's Goan residents, over 200 people, were expelled for allegedly failing to give due respect to President Banda.

c. Freedom to Participate in the Political Process

Since putting down an early revolt against his authority by dissident cabinet ministers in 1964 and 1965, President Banda has not had to face another serious challenge. He became president for life in July, 1971.

Membership in the Malawi Congress Party (MCP) is open only to Malawi citizens of indigenous African origin, and is compulsory for anyone wishing to hold public office. No political activity outside the MCP framework is permitted, and although the Government asserts that there is grass-roots democracy within the MCP, access to political office at any level is subject to the President's veto. Parliamentary elections are constitutionally provided for, with universal adult suffrage, but the last such elections were cancelled because none of the MCP candidates was opposed.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

President Banda contends that authoritarian control is

essential for Malawi's development, that Malawi is unique, and that no one outside Malawi has any right to criticize his policies. There is little prospect that he will permit outside investigation of alleged human rights violations. The United Nations High Commissioner for Refugees has been denied access to and information about the status of Malawian Jehovah's Witnesses. Amnesty International and similar groups have also been denied access to Malawi; President Banda at one time explicitly threatened reprisals against prisoners "adopted" by AI.

Foreign journalists have long been persona non grata in Malawi; recently, however, the Malawi Government has invited several reporters to visit the country.

MALI

Mali's governing Military Committee of National Liberation is moving toward return to full civilian government in 1980, after the new constitution comes into full force in mid-1979. The new constitution confirms human rights defined by the Universal Declaration of Human Rights, but current law gives the military government the authority to override these rights in the national interest. Mali appears to be genuinely prepared to move toward greater respect for human rights, but at a rate determined and controlled by the military government. National reconciliation is one of the primary objectives of the military government's program, and progress has been made.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There are no reports of the use of torture in Mali.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There are no reports of such treatment or punishment in Mali, nor are there any reports of arbitrary deprivation of life. We have no indication that prison conditions are unduly harsh.

c. Arbitrary Arrest or Imprisonment

Although uncommon, there have been confirmed incidents of arbitrary arrest and imprisonment in connection with "political offenses." In 1975, proclaimed the "year of reconciliation" by President Traore, many -- but not all -- political prisoners were released. Amnesty International's 1977 Report notes twenty-eight adoptees and one investigative case in Mali. In late 1977 the government pardoned a number of dissident students detained earlier in the year.

d. Denial of Fair Public Trial

The constitution provides this right, and it is usually observed in practice. Six Tuareg secessionists were, however, imprisoned from 1963 until their trials in 1977. Death sentences imposed on the six at that time were later in the year commuted to life imprisonment.

e. Invasion of the Home

The new constitution provides that the home is inviolable, and a search requires a warrant which may be obtained only under appropriate conditions specified by law. However, house-to-house warrantless searches have occurred sporadically, usually as the result of some specific political incident, such as during the spring 1977 student strikes.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Mali's present governmental policies are focused on responding to the needs of the poor. Mali ranks among the three or four poorest nations of the world according to UN estimates. Economic development programs are aimed at improving the livelihood of the country's overwhelmingly rural agricultural and nomadic population.

Corruption, is a growing problem. Its first significant appearance can be traced to the time of the 1969-74 Sahel drought, when diversion of commodities and misappropriation of funds were noted by almost all donors. There are almost constant warnings by President Traore against dishonest practices, occasional corruption trials, and the removal of egregiously corrupt officials. Corruption cannot at this time be considered a serious drain on the country's development resources. It does, nonetheless, have a braking effect and diverts some resources from those in need.

3. Respect for Civil and Political Liberties, Including

a. Freedom of Thought, Speech, Press, Religion and Assembly

Mali has been ruled since 1968 by a military committee, and organized political activity is prohibited. Freedom of speech is, therefore, restricted. Fifteen persons were arrested for distributing a pamphlet opposing the June 2, 1974, constitutional referendum, and in June 1977, the government used force to control a series of street demonstrations which on several occasions had resulted in vandalism and destruction of property. Malians are free to assemble for social and professional purposes, although the labor unions, women's and other groups are required to follow the government's direction on political questions. There is freedom of religion. The press is government controlled.

Mali's National Union of Malian Workers is expected to play an important role in Mali's political future and has already secured a voice in the management of Mali's enterprises. It has, however, often acted as a conduit for policies enunciated by the ruling Military Committee of National Liberation. The statutes for the new political party to come into existence at the end of military government in June 1979, give two ex-officio seats to union representatives on the Party's National Council, the main policy-making organization. The Secretary General of the Union is also represented on the 17-member Executive Office, which will run the Party's daily affairs.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Freedom of movement within Mali is generally unrestricted, although inter-city travelers are subject to frequent police checks, which are allowed by the law. The present military government won its popularity in part by removing most barriers to travel common under the previous

regime. There are no barriers to emigration or foreign travel.

c. Freedom to Participate in the Political Process

The new Malian constitution, which comes into full force in 1979, foresees the election by universal suffrage of a president and national assembly, and the nascent political party, the Democratic Union of the Malian People, will at least theoretically represent all the people. The constitution guarantees equality under the law for all except members of the pre-1968 regime.

4. Governmental Attitude and Record Regarding International and Non-Governmental Investigation of alleged Violations of Human Rights

There have been no requests for independent, outside investigations of alleged human rights violations in Mali. Since 1968 Amnesty International has urged the release of political prisoners and in 1974 organized a campaign to publicize the prisoners' plight. The National Academy of Sciences Commission on International Relations has expressed interest in the situation of a mathematician imprisoned in 1974 for unlawful distribution of political tracts during the constitutional referendum.

MAURITANIA

Mauritania's overriding concern at present is to defend itself against attacks on its economic and urban centers by guerrillas of the Polisario Front, operating out of Algeria. Despite this preoccupation, the government of Mauritania respects generally in word and fundamentally in deed the human rights of its citizens. Its constitution reflects both the French Declaration of the Rights of Man and the Universal Declaration of Human Rights.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Mauritanian law prohibits the use of torture and there are no reports that it has been practiced in Mauritania.

b. Cruel, Inhuman or Degrading Treatment or Punishment

These types of treatment or punishment are not practiced. There are no reports of arbitrary deprivation of life.

c. Arbitrary Arrest or Imprisonment

This is prohibited by law and generally is not practiced in Mauritania. Some persons, however, have been arrested and detained in the past for participating in illegal political activities in contravention of the Mauritanian Constitution which recognizes only one political party. Thirty persons detained for such illegal political activities were adopted by Amnesty International, which in its 1975-76 Report noted that all had benefited from a general amnesty declared by the Mauritanian Government in September, 1975. We have no information on when these persons were detained, or whether they were granted fair, public trials at the time. The ongoing Polisario attacks on Mauritania's urban and economic centers prompted internal security measures such as questioning of suspected Polisario supporters by the authorities. Some 100-200 suspects were brought in for interrogation following the first attack on the capital city of Nouakchott in July, 1976. They were released within four or five days. There are no reports of any political prisoners or detainees in Mauritania at this time.

d. Denial of Fair Public Trial

Fair, public trials are provided.

e. Invasion of the Home

This is prohibited by law and is not practiced.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Mauritanian Government economic development policies are designed to respond directly to the needs of the poor--the sedentary agricultural and widely dispersed nomadic peoples which make up 75% the population. The national goals adopted by the Government of Mauritania are economic development and social welfare. The Third Economic Development Plan (1976-81) emphasizes growth in the rural sector. Present government concentration is on increased agricultural production, and eventual food self-sufficiency, through emphasis on food crops and better cultivation techniques, improved rural infrastructure, training, and extension of existing livestock programs. The Government also seeks to improve health services to the rural poor. The result of this policy is allocation of an increasing proportion of government expenditures to the rural sector.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

These freedoms are protected. Although the Mauritanian constitution proclaims Islam to be the religion of the Mauritanian people, (and the formal national name of the country is The Islamic Republic of Mauritania), the constitution guarantees "freedom of conscience and the right to practice one's religion." These do exist in fact, and non-Moslems have not experienced difficulty exercising their religion in Mauritania. There is a Roman Catholic Bishop, several Catholic congregations, and there are no restrictions in fact on any religious expression or practice. Ninety-nine percent of the population is Moslem. Mauritania has one union, the Union of Mauritanian Workers, which is closely allied to the government. The one daily newspaper is published by the government and there is one government radio station. These are indications of the

state of national development rather than an effort to control the media. International shortwave broadcasts and television broadcasts from nearby Dakar, Senegal, are received without interference. Foreign newspapers, magazines, journals, and books freely circulate and are readily available to all without any government restriction, even when containing information or commentary critical of the government. The government makes no attempt to enforce ideological conformity, and the average Mauritanian citizen freely expresses his views on national issues.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Freedom of movement is allowed within Mauritania, subject to control over travel to some areas because of the Polisario guerrilla military activity. Foreign travel and emigration are not restricted.

c. Freedom to Participate in the Political Process

The Mauritanian Constitution assures equality to all in the political process, regardless of race, religion, or sex--but only within the framework of the Mauritanian Peoples Party, the sole legal political party in Mauritania. The National Assembly and the President are elected by universal adult suffrage.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

We are aware of no outstanding requests for outside investigation of human rights conditions in Mauritania, but believe that the government would respond favorably should such requests be made by responsible organizations.

MOZAMBIQUE

Mozambique, a former Portuguese colony which gained independence in 1975, has embarked on a socialist course of national development under the guidance of its sole political party, FRELIMO (Front for the Liberation of Mozambique). Civil and political liberties have been considerably circumscribed. There have been few allegations of cruel, inhuman or degrading punishment. The Mozambican government is making a major effort to meet the basic needs of the population, but it has been seriously hindered by severe shortages of resources and personnel.

1. Respect for the integrity of the person including freedom from:

a. Torture

Torture does not appear to be practiced or countenanced.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There have been a few unsubstantiated allegations of cruel, inhuman or degrading treatment or punishment.

c. Arbitrary Arrest or Imprisonment

Detention without trial is frequently practiced in Mozambique, largely for purposes of political indoctrination. The number of persons involved appears to be considerable, but the Mozambican government has not divulged figures on how many it is holding at its "reeducation" camps.

d. Denial of Fair Public Trial

Because of lack of experience and personnel, the operation of the judicial system is erratic. Furthermore, the government's desire to reshape society to fit "socialist" patterns has led to trials at variance with normal judicial procedures. In many instances, persons accused of a crime are tried and sentenced by a security official and have no recourse to a fair public trial. It is impossible for an accused to retain private legal counsel since the private practice of law has been abolished.

e. Invasion of the home

The sanctity of the home is generally respected, but exceptions to this rule do occur in instances where officials believe that there may be a threat to the security of the state.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Government of Mozambique has been earnestly attempting to carry out policies to meet the basic needs of the population for food, health care, shelter, and education. It has launched ambitious programs in all these fields including one to vaccinate the entire population against contagious diseases and another to eradicate illiteracy. Implementation of these programs has been uneven, mainly because of lack of materials and trained personnel to carry them out rather than because of lack of will on the part of the government.

As the result of the spill-over from the war in Rhodesia, the severing of trade and transportation links with Rhodesia in line with United Nations resolutions, and the mass exodus of trained Portuguese at the time of independence, there are, at present, serious shortcomings in the national economy.

Food shortages are commonplace, health care has been disrupted, opportunities for higher education have been curtailed, and, in some instances, factories have ceased to operate.

Corruption diverting resources towards the elite and away from the poor does not appear to be a serious problem. When it is detected, strong action is generally taken against those involved.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Criticism may be voiced from within FRELIMO, the ruling party. However, public criticism of the party and its policies is not allowed. Persons who publicly criticize

the government and its social policies may be subject to being sent for varying periods to "reeducation" centers for intensive political indoctrination.

The media in Mozambique are government-controlled and are not accessible to those who wish to question basic government policies.

Freedom of religion is guaranteed in the constitution, but there has been some repression of foreign missionaries and certain proselytizing sects. Churches are no longer permitted to operate schools or hospitals.

Freedom of assembly is limited by the one-party system. Nevertheless, independent trade unions, based in larger urban areas, continue to exist. However, the government and party have more and more emphasized the importance of quasi-official workers' assemblies and have organized so-called "dynamizing groups" at industrial and commercial establishments to provide political guidance and control.

b. Freedom of Movement Within the Country, Foreign Travel, and Emigration

There is freedom of movement within the country except in some combat-affected areas adjacent to the Rhodesian border. The right of emigration has been maintained for non-citizens resident in Mozambique, but there are tight restrictions on the removal of money and property. Restrictions have been placed on emigration and foreign travel by Mozambican citizens.

c. Freedom to Participate in the Political Process

Mozambique is a one-party state controlled by FRELIMO. The party has adopted Marxism-Leninism as its guiding political philosophy. There is universal suffrage, but all competition among candidates takes place within the FRELIMO party structure. Election to national office is indirect and effected through district and provincial assemblies. Opposition political movements are not permitted.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

No outside investigations of human rights are known to have been carried out in Mozambique or requested by international organizations. However, during the past few months Mozambique has permitted foreign journalists to tour the country extensively. Two American journalists who recently did so, separately, reported extensively on human rights conditions in the country. They indicated that while there were restrictions on civil and political liberties, in other respects, such as in efforts to raise living standards, Mozambique had a favorable human rights record.

NIGER

Niger is ruled by a military government. The armed forces seized power in April 1974 claiming corruption was widespread in the civilian government and that emergency measures were necessary to deal with the critical food situation. The new military government has made economic development its first priority and has sought to improve the welfare of the average citizen, particularly the rural poor. However, since the military government has banned all political activity, restrictions exist on freedom of expression. Several members of the former government have been released from house arrest; a few of the former government's members remain under house arrest, but more releases are expected. Many of the former detainees have been reinstated in the civil service. Niger's pre-independence French legal system and practices have been left largely intact; French legal safeguards are respected in civil and criminal cases. The military government still refers to itself as "provisional", yet has announced no schedule to return the country to civilian rule. Civilians now hold twelve of the nineteen cabinet positions in the government.

1. Respect for the Integrity of the Person, Including Freedom from

a. Torture

There are no reports of the use of torture in Niger.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There are no reports of such treatment or punishment in Niger, nor do we have any evidence of arbitrary deprivation of life. There is no evidence of inhumane prison conditions in Niger.

c. Arbitrary Arrest or Imprisonment

Reported infringements have been rare, but incidents of arrest and imprisonment without due process have occurred, especially in cases involving members of the previous regime. Amnesty International reports that it is "handling" the cases of 18 persons accused of plotting against the government who have been jailed without trial. There is no information on the exact number of political prisoners who have been detained without trial. The integrity of the person is not specifically guaranteed by law in Niger, since the military government has suspended the constitution and rules by decree.

d. Denial of Fair Public Trial

The right to a fair public hearing and trial generally is observed in criminal and civil cases not involving political acts. Several plotters executed in connection with a March, 1976 attempted coup were tried by a specially constituted military court. Courts dealing with civil and criminal questions appear free from political influences and pressures.

e. Invasion of the Home

The inviolability of the home generally is respected although the government's power to conduct searches is not limited by statute.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Government of Niger (GON) in cooperation with foreign assistance donors is an active participant in Niger's economic and social development. As a member of the Interstate Committee for the Struggle against the Sahelian Drought (CILSS), the Government of Niger has publicly committed itself to improving the standards of living of its citizens by raising per capita income, promoting development of the agricultural sector and improving social services

and education programs and promoting employment. The GON in its three years in power has shown a relentless dedication to these objectives. The military government's development efforts, international assistance, and the return of good weather have all been key factors in Niger's economic recovery since 1974.

3. Respect for Civil and Political Liberties,
Including

a. Freedom of Thought, Speech, Press, Religion
and Assembly

These freedoms are restricted in Niger. Dissent is rarely voiced openly. Some forms of voluntary associations and expressions such as trade unions, churches and religious groups are, however, generally permitted. The trade unions are under the influence of the government. The press is government-controlled, but there is a certain degree of editorial independence. The government does not attempt to impose ideological conformity.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

There have been no reports of restrictions on movement within the country, foreign travel, or emigration.

c. Freedom to Participate in the Political
Process

The freedom to participate in the political process is restricted in Niger. Upon taking power in April 1974, the new military government suspended the constitution, abolished the national assembly and banned all political activities. The executive branch is now directed by a Supreme Military Council (SMC) comprised of the army officers who organized the coup. The president of the SMC is also chief of state and president of the council of ministers. Civilians, named by the president, now hold a majority of the positions in the Council of Ministers.

The military government has announced no schedule to return the country to civilian rule.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

There have been no proposals for an outside investigation of human rights in Niger. We do not know whether the Government of Niger would accept such a proposal.

NIGERIA

A military coup brought the Federal Military Government (FMG) to power in 1966. After the 1967-70 civil war, amnesty was extended to all but a few secessionist leaders, and Nigeria achieved noteworthy success in bringing about internal reconciliation and the reintegration of secessionist elements. On July 29, 1975, a bloodless coup resulted in a change of government leadership. On February 13, 1976, the head of state General Murtala Muhammed was assassinated in an aborted coup. The present leader of the government is Lt. General Olusegun Obasanjo.

Chapter III of the 1963 constitution contains broad human rights guarantees which generally remain in force. From time to time, however, FMG decrees circumscribe some rights. A ten-year old state of emergency remains in force though many of its provisions appear to be held in abeyance.

1. Respect for the Integrity of the Person, Including Freedom from
 - a. Torture

The right to freedom from torture is observed.

- b. Cruel, Inhuman or Degrading Treatment or Punishment

The right to freedom from cruel, inhuman or degrading punishment is observed with the exception that armed robbers convicted by civilian trial are executed in public, as a deterrent measure, and some of those adjudged by a military tribunal guilty of complicity in the February 1976 coup attempt, which resulted in the murder of the chief of state, were subsequently publicly shot. However, death sentences imposed by civilian courts normally are not carried out in public. Nigerian prisons lack many modern facilities but prisoners are generally treated well.

Family members are permitted liberal access to prisoners and are allowed to provide food, clothing and other basic needs.

c. Arbitrary Arrest or Imprisonment

The right to freedom from arbitrary arrest or imprisonment generally is observed although there have been exceptions when the government believed a question of internal security or other emergency existed. To the best of our knowledge, there currently are no political prisoners in Nigeria.

d. Denial of Fair Public Trial

Fair public trials are almost always available. However, an eleven-year old state of emergency remains in effect, as do the decrees (particularly the Armed Forces and Police Special Powers Decree No. 24 of 1967 and the Supremacy and Enforcement of Powers Decree No. 28 of 1970) which prevent the judiciary from questioning the substance of the Federal Military Government authority to detain persons without trial. The Public Officers (Special Provisions) Decree of March 2, 1976, denies dismissed public officials the right to seek redress in court. In recent years, the state of emergency provisions have rarely been invoked, and the ordinary Nigerian continues to receive justice from the courts under both traditional and statutory law.

e. Invasion of the Home

The right to be free from invasion of the home is observed, though there has been one case in the past year in which the home of a prominent Nigerian citizen was entered by the Nigerian government with neither the consent of the owner nor a search warrant. However, the government's action in this instance is being challenged in the courts which can and do rule against the government.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The FMG has taken positive steps to develop and implement programs to fulfill basic needs for food, shelter, improved health care, and education. A primary goal of the 1975-80 development plan and the current annual budget is to accelerate economic growth and improve the living conditions of the poor. One feature of the development plan, the National Accelerated Food Production Project, is a project designed to increase food production. Another, the Universal Primary Education scheme, is an ambitious program to provide free primary education to all Nigerian children. Additionally the FMG announced that effective this fall it will provide secondary and university education without direct charge.

The government consistently condemns corruption and has taken legal actions to discourage its occurrence. However, corruption does divert private and public resources from needed development projects.

3. Respect for Civil and Political Liberties, Including

a. Freedom of Thought, Speech, Press, Religion and Assembly

These liberties are generally observed despite the ban on political parties. There are few recent instances of censorship of print or broadcast media in Nigeria, whether of foreign or domestic origin. All TV and radio broadcast organizations are now wholly owned by the government, and only two major newspapers remain independently owned. All of these media are used for the presentation of government views but they are also frequently critical of the government's foreign and domestic policies and the government is attentive to such criticism and public reaction to it.

Ostensibly in the interest of the public welfare and because of a past history of alleged corruption, the FMG has sharply curtailed the right of workers to associate freely, organize trade unions, and choose their own leaders. The government has imposed a reorganization of all trade unions into new groupings determined by the government. In August 1976, the government proscribed 11 labor leaders from all future trade union activity. This decree is not subject to appeal. However, under the terms of an amendment to a government proposed Trade Union Code of Conduct, Nigerian labor leaders will be allowed to take part in partisan politics when the ban is lifted in 1978 and trade unions are permitted to draft their own constitutions. In light of the above official actions, the FMG was charged by the International Labor Organization with violating ILO conventions.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

These basic freedoms are respected.

c. Freedom to Participate in the Political
Process

There has been a ban on political parties and national political activity since 1966, but a return to civilian rule has been promised by October 1, 1979. The FMG appears determined to maintain its announced schedule to achieve that goal. Nonpartisan local government authority elections were held in December 1976, and a constituent assembly was convened in October 1977, to adopt a new constitution. In some states, members of local government authorities were elected directly under universal adult (18 and over) suffrage. In other states, all adults were permitted to vote for electors who in turn chose members of local government authorities. Elected members of the constituent assembly were chosen by members of the local government authorities.

4. Government Attitude and Record Regarding
International and Non-Governmental Investigation
of Alleged Violations of Human Rights

The FMG in the past has not offered a public reaction to allegations of human rights violations or received any requests for outside investigation. The response to such a request would depend on the nature of the allegations and the reputation of the organization requesting the investigation.

RWANDA

The human rights situation in Rwanda today is encouraging, especially in light of Rwanda's authoritarian traditions and the fratricidal revolution at independence in 1959-61. Traditional Rwandan society has only a scant notion of the sanctity of the individual. Much more important are the security and harmony of the individual's position within lineal group structures. Among the masses of Rwandans, the 1959-61 social revolution had less to do with securing individual freedoms denied under the prior feudal system than with substituting majority (Hutu) group domination in place of minority (Tutsi) rule.

During the decade following the revolution, governmental policies were blatantly "compensatory" in an effort to preempt the favored positions Tutsis previously enjoyed. Although policies are now better balanced, discrimination remains a highly-charged political issue.

Since coming to power in 1972 President Juvenal Habyarimana has made continued human rights progress a key element of official policy. Rwanda has undertaken an effort to provide more consistent local justice. The Habyarimana government supports full integration of all ethnic groups through a proportional quota system aimed at guaranteeing Tutsis an equitable share of jobs and educational and advancement opportunities. Rwanda now rightly considers itself an activist on human rights issues. It will, for example, in early summer host an African Colloquium on Human Rights and Economic Development.

1. Respect for integrity of the Person, Including Freedom from:

a. Torture

Torture is not used.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Within the context of traditional values, Rwandan authorities generally respect personal freedoms. Cruel, inhuman or degrading punishment is unknown.

c. Arbitrary Arrest or Imprisonment

Arbitrary arrest and imprisonment do occur. For example, dozens of prostitutes in the capital city are regularly rounded up and interned without due process. Migrants from rural areas are uprooted and sent back home for failure to have work permits in a country where unemployment can reach 50 percent or higher. Some thirty former regime officials have been held without trial since 1973.

d. Denial of Fair Public Trial

Rwanda's almost total lack of trained lawyers and jurists hinders the prompt and consistent application of justice throughout the country. Competent personnel are assigned duties considered more pressing in other branches of the government. All trials are public.

e. Invasion of the Home

Sanctity of the home is respected.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

From the outset in 1973, the Habyarimana government has claimed (and convincingly demonstrated) that its goal is to satisfy the material needs of the impoverished Rwandan people. The party's goal is to mobilize the masses in development. The 5-year plan focuses those efforts on meeting the basic needs of food production, health, housing and vocational education, primarily in rural areas where 97 percent of Rwandans live.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Religion, Press and Assembly

Freedom of thought, religion and assembly are generally respected. Persons are not free publicly to criticize the government or its leadership and the press is government controlled. Informed discussion of sensitive issues does occur, especially in the academic community.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Freedom of movement is limited: (a) by policies to restrain rural-urban migration under high unemployment conditions and (b) by strict controls on the issuance of passports for any citizens not in the regime's good graces. On the other hand, freedom of in-country movement has been greatly liberalized under President Habyarimana, and emigration into neighboring territories from over-populated Rwanda is actively encouraged.

c. Freedom to Participate in the Political Process

Current policies continue to downplay "politics" -- and therefore political liberties -- in favor of enlisting total national participation in the tasks of development.

There are no national elections, although local community councils are now chosen by a non-partisan vote in which all adults are eligible to participate. Instead, the officially sanctioned National Revolutionary Development Movement (MRND), with membership open to all, is tasked with organizing and apportioning the developmental burden among all sectors of the populace. Although explicitly barred from "political" activity, MRND in fact plays the quasi-political roles of a consultative and public information organization.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of
Alleged Violations of Human Rights

Sensitive to its own tragic history and outside criticism, Rwanda has been cool toward perceived challenges to its "national sovereignty." U.N. Human Rights Commission representatives failed in their attempts to investigate and moderate ethnic bloodletting in the early sixties. And the current government has been similarly unwilling to allow outsiders to probe conditions of some thirty political prisoners, held since 1973.

Sao Tome and Principe

Sao Tome and Principe is one of the newest nations in Africa, having received its independence from Portugal in July 1975. It is a mini-state with only 372 square miles of island territory and approximately 75,000 people. Government officials are practically on a first-name basis with most citizens. The Portuguese kept the islands isolated from the rest of the world during five centuries of colonial rule, and there was little violence or political oppression prior to independence. The new government has benefited from this relatively peaceful transition to nationhood and has instituted a tranquil single-party political system which protects most internationally recognized human rights.

1. Respect for the Integrity of the Person

a. Torture

There is no evidence that torture is used in Sao Tome and Principe.

b. Cruel, Inhuman or Degrading Treatment or Punishment

We have no evidence that such treatment or punishment occurs.

c. Arbitrary Arrest or Imprisonment

There are no reports and no evidence of arbitrary arrest or imprisonment.

d. Denial of Fair Public Trial

There are no indications that a fair public trial is denied to citizens of Sao Tome and Principe.

e. Invasion of the Home

According to the best information available, invasion of the home is not practiced.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The government of Sao Tome and Principe is consciously socialist and its Marxist economic policies, in the judgment of some observers, risk damaging its efforts to provide the basic needs for food, shelter, health care and education. The government is attempting to reorganize and reform the economy but has severely limited resources. The nationalization of the agricultural sector could, therefore, result in economic decline. However, the government appears to be motivated by ideological concerns and is unlikely to be dissuaded from its "revolutionary" program by implementation problems. Sao Tome and Principe has been promised a large amount of economic assistance from a number of countries, but it is still unclear how much of this aid will actually be forthcoming.

3. Respect for Civil and Political Liberties, Including

a. Freedom of Thought, Speech, Press, Religion and Assembly

The constitution guarantees the basic freedoms of thought, religion and assembly, but political expression is limited by the country's single political party. The press is government-controlled. Assembly for political purposes must have the sanction of the ruling party.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

The standard exit visa requirement and the physical isolation of the islands are the only barriers to movement out of the country, including emigration. There are no known controls on internal travel.

c. Freedom to Participate in the Political Process

All political activity is controlled by the Movement for the Liberation of Sao Tome and Principe (MLSTP), the country's single party. Former members of the now dis-

banded opposition groups remain in the country and apparently suffer no prejudicial treatment at the hands of the government. Several political opponents of the government are thought to be in exile in Angola, but President Da Costa has announced publicly that the exiles are free to return whenever they wish.

The President is elected by the Popular Assembly from a list of candidates named by the MLSTP. Under the constitution, the Assembly is the supreme organ of the state, and legislators are elected for a period of four years by universal suffrage.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

We are not aware that any outside groups have sought to investigate conditions.

SENEGAL

Senegal has a freely-elected, democratic government, which has established the framework for a multi-party system. Local elections in late 1976 were contested by the opposition, and opposition parties will challenge the incumbent Socialist Party (Parti-Socialiste) in the local, regional, and presidential elections in February, 1978. Senegal firmly supports U.S. policy initiatives for majority rule in Africa, favors regional cooperation on the continent, and warmly endorses the U.S. human rights policy. The Senegalese Government's record in implementation and protection of human rights is good.

1. Respect for the Integrity of the Person, Including Freedom from

a. Torture

Statutory prohibitions against torture are respected and enforced.

b. Cruel, Inhuman or Degrading treatment or Punishment

These do not exist in Senegal, nor do we have any reports of arbitrary deprivations of life.

c. Arbitrary Arrest or Imprisonment

The right to freedom from arbitrary arrest or imprisonment has been observed in recent years.

d. Denial of Fair Public Trial

The right to a fair, public trial is observed.

e. Invasion of the Home

There are effective legal safeguards against arbitrary invasion of the home.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care Education

The December, 1976, extraordinary session of Senegal's governing Socialist Party, among other actions, adopted a resolution aimed at raising per capita income substantially, promoting modern agriculture, accelerating the development of the state-directed social services sector, and promoting employment--particularly non-salaried employment in the agricultural sector, the most important in Senegal's economy. The basic model is for a "socialist and democratic society" incorporating "scientific socialism" and the "values of our Negro-African humanism." Family planning and reduction of the population exodus to the cities and of inequalities between the regions were also highlighted. The government's Fourth (Economic) Plan, 1973-77, focused more attention on rural development than in the past, and resulted in an arrest of the previous declining trend in that sector. The new Fifth (Economic) Plan, 1977-81, devotes even greater proportionate resources to rural development.

3. Respect for Civil and Political Liberties, Including

a. Freedom of Thought, Speech, Press, Religion and Assembly

Freedom of speech, thought and intellectual enquiry are respected. There is full freedom of religion. Freedom of assembly is respected. The labor union movement is active, although generally subject to governmental guidelines. There is movement toward trade union pluralism paralleling the political pluralism now developing in Senegal.

There are no restrictions on press freedom. The largest daily newspaper is government-sponsored, but opposition party and other newspapers are published and distributed. Over the past half-year there has been an increase in the number of opposition political

journals published in Senegal criticizing the Government and proposing new political courses. Their free circulation reflects the willingness of the government to allow open criticism of its policies. Despite recent defamation charges against two satirical opposition newspapers, Senegalese journalists remain strikingly outspoken. As a recent issue of the magazine Jeune Afrique noted "the Senegalese opposition press has flourished in the nascent multiparty system to an extent which would be unimaginable in most African countries."

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Freedom of movement within Senegal is unrestricted, and there are no controls on foreign travel or emigration.

c. Freedom to Participate in the Political
Process

Although political power is now held by the Senegalese Socialist Party, legally recognized opposition parties are active, and operate with considerable freedom. Recent local elections were hotly contested. One minority party, the Parti-Democratique Senegalais (PDA - Senegalese Democratic Party) gained control of two rural assemblies in November 1976.

There is universal adult suffrage in local, regional national assembly, and presidential elections.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

No proposals for outside investigation of alleged human rights violations have been made with regard to Senegal. The Government of Senegal appears willing to accept any such proposals which reflect legitimate concerns.

SIERRA LEONE

Sierra Leone is one of the few civilian-ruled, multi-party states in Africa. Established as a parliamentary democracy at the time of its independence in 1961, its basic democratic institutions have survived despite several military coups in the late 1960s, and the rough-and-tumble nature of Sierra Leonean politics. Stemming from the national parliamentary elections in 1977 a number of allegations were made of human rights violations, including arbitrary detention and infringement of the freedoms of speech and assembly.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There is no evidence of the use of torture in Sierra Leone.

b. Cruel, Inhuman or Degrading Treatment or Punishment

The government of Sierra Leone does not countenance cruel, inhuman or degrading treatment or punishment.

c. Arbitrary Arrest or Imprisonment

Following widespread demonstrations and extensive property damage, and the imposition of a state of emergency on February 1, 1977, several hundred persons were detained without charges. Detainees included three elected opposition members of Parliament.

d. Denial of Fair Public Trial

The judiciary remains relatively independent, and Sierra Leone's courts have a good reputation for providing fair public trials.

e. Invasion of the Home

There are effective legal safeguards against arbitrary invasion of the home.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The 1974-79 National Development Plan calls for increasing the welfare of the broad mass of population and achieving a more equitable distribution of income. The plan accords the highest priority to raising the productivity, incomes and living conditions of the rural population, increasing rural employment, and improving human nutrition. In support of these goals the proportion of the development budget allocated to agriculture has steadily risen and is now 32 percent. Funds devoted to education constitute over 23 percent of the total budget, and health and social services comprise an additional ten percent. The country's economic situation is quite difficult, however, and funds available for direct assistance to the poor are limited. Many observers report that corruption in Sierra Leone is pervasive, and corruption appears to have diverted significant resources from the poor.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

The constitutional guarantees of freedom of religion and speech are observed. Labor unions are allowed to operate freely and are not subject to government control. The press is heavily influenced by the government and the ruling All People's Congress (APC) party. One opposition paper, however, is published and circulates without apparent hindrance. During the period from February 1 to May 6, 1977, freedom of assembly was restricted under the provisions of the State of Emergency act. Since the May 6 elections these restrictions have been eased considerably. The government makes no effort to impose ideological conformity or to restrict intellectual inquiry.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There are no official restrictions on travel within the country, except those to control smuggling in the diamond mining areas of Kono District. Regulations governing foreign travel are liberal, and there are minimal legal restrictions on emigration.

c. Freedom to Participate in the Political Process

Sierra Leone is one of the few civilian ruled, multi-party states in Africa. As is true in many other African nations, normal political rivalries are exacerbated by tribal and regional animosities. The opposition, largely concentrated in the Sierra Leone People's Party (SLPP), is not outlawed, but it has not been permitted to function effectively. The political events since the student demonstrations in January 1977 have strained Sierra Leone's traditional image as a politically tolerant nation. The administration is encouraging the formation of a one-party state on the grounds that political divisions exacerbate traditional tribal rivalries and threaten the fragile unity of the nation. The success or failure of this effort will determine the depth of public support for a multi-party state.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The government of Sierra Leone has supported U.S. human rights initiatives in general terms.

There are a number of private individuals and groups both in Sierra Leone and outside who are strongly critical of the present government's human rights record. These critics are particularly vocal regarding alleged election abuses which they claim were instigated by the ruling APC party. In its most recent annual report, Amnesty International has cited several reports of human rights violations in Sierra Leone. Several of the individuals listed as detainees were recently released from custody.

Sierra Leone's leaders are sensitive to outside criticism, particularly from self-declared exiles. There have been no requests for outside investigations, and Sierra Leone's response to such requests would hinge on the nature of the allegations and the reputation of the organization requesting the investigation.

SOMALIA

Engaged in an undeclared war with Ethiopia and faced with the proclaimed task of bringing about a socialist transformation in Somalia's society, the Somali Government has tended to subordinate individual liberties to its political and economic goals, particularly that of bringing about a more equitable distribution of Somalia's limited material resources. The government prides itself on the relative lack of coercion which has been required. With the departure of large numbers of Soviet civilian and military advisors, it is likely that there will be some liberalization, over time, in the Somali Government's attitude toward individual freedoms.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

We have no indication that torture is practiced in the Somali Democratic Republic.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Nor do we have any indications of cruel, inhuman or degrading treatment or punishment except for the execution of religious leaders noted in 1.d. below. From our very limited knowledge of prison conditions and on the basis of what we know from released political prisoners, we have no reason to believe the prison conditions are not relatively humane.

c. Arbitrary Arrest or Imprisonment

Arbitrary arrests, detention, and imprisonment have been used against suspected political dissidents in Somalia. Except in unusual cases, prison sentences are short. Many of the officials who held office under the previous regime and who were detained following President Siad's succession to power have since been appointed to positions of trust and responsibility in the government. There are no authoritative figures on the number of political

prisoners, but the figure is probably less than thirty.

d. Denial of Fair Public Trial

Political dissidents are not always accorded a public trial. We do not know whether private trials are held in cases where public trials are not. Trials in ordinary civil and criminal cases are public and appear to be fair. In January 1975, and as an exception to the government's clear preference for social and political rehabilitation rather than excessive punishment, ten Somali religious leaders were executed for their public opposition to the government's decision to accord equal rights to Somali women. The religious leaders did not receive a public trial.

e. Invasion of the Home

Political dissidents probably are not free from arbitrary searches of their homes.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education:

Within its ability to do so, the government is making a serious effort to fulfill the vital needs of the populace through economic development (current per capita income is \$100). While the effectiveness of its approach is constrained by socialism which discourages much foreign investment, it has established programs of direct benefit to the Somali people. A major effort has been made, for example, to resettle nomadic tribesmen whose herds were killed off by the recent drought. The effort to turn many of these people into farmers and fishermen may not succeed, but it represents a clear commitment in talent and resources on the part of the Somali Government to ameliorate the condition of the poor.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion,
and Assembly

In the pursuit of its objectives the Somali Government has shown little tolerance for freedom of speech or assembly. Freedom of the press is impaired by government control and censorship. There does not appear, however, to be significant impact on freedom of thought and intellectual inquiry, except where these activities are deemed to be political in nature.

The Somalis are a Muslim people and are allowed to practice their faith freely so long as their religious leaders do not challenge the political orientation or legitimacy of the government. The public opposition of the ten executed religious leaders in 1975 was based on theological as well as on political grounds since they believed that the government, in revising the inheritance laws, had attacked the Koran, the basis for Islamic divorce and inheritance rights. The government, however, viewed the protest in political terms and charged the leaders with opposing its decision on women's rights and preaching the Islamic faith falsely. The government also charged that the leaders were in the pay of a foreign power. Christians and others are allowed to worship freely.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

The Somalis, being a nomadic people, generally have freedom of movement within the country. Such freedom is sometimes curtailed, however, in the case of suspected or known dissidents, and where the Government believes that such movement is not in the national interest. Freedom to leave the country for travel or emigration purposes, or to change places of employment is sometimes denied for the same reasons.

c. Freedom to Participate in the Political
Process

Somalia is a one-party state which is ruled primarily by military officers who seized power in October 1969. In pursuit of the government's social and economic

goals, the leadership has imposed a high degree of political regimentation. No opposition parties are permitted to exist. There are no elections in Somalia.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Somali Government has received foreign reporters from time to time, but has not so far been disposed to permit outside investigation of its human rights record. In 1975, Amnesty International (AI) wished to send a mission to discuss the human rights situation with the government, but AI's request was rejected on the grounds that the Somali authorities were preoccupied with the resettlement of persons afflicted by the drought.

SUDAN

The human rights situation in Sudan improved markedly during 1977 as a result of President Nimeiri's initiative to reconcile difficulties with all Sudanese dissident elements. Following the conclusion of an agreement with his principal rival, the leader of the Mahdists, Nimeiri released over 1200 political prisoners and granted amnesty to all opponents of his regime imprisoned since he came to power in 1969. Sudan is now attempting to reinstitute legal guarantees of civil and political rights by revoking emergency powers and amending the constitution.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

The use of torture by the Sudanese Government appears to be extremely rare. There have been no public allegations in recent years of torture being used by the government.

b. Cruel, Inhuman or Degrading Treatment or Punishment

While cruel, inhuman or degrading treatment or punishment is not practiced in Sudan, conditions in Sudanese prisons reflect the poverty of the country.

c. Arbitrary Arrest or Imprisonment

In 1975 the People's Assembly amended the Sudanese constitution to permit the President to take any action to protect the constitution, the country and "the May [1969] revolution." The President therefore has the power of arbitrary arrest and imprisonment, but has used it sparingly. In the summer of 1977 President Nimeiri declared a general amnesty and released over 1200 prisoners detained for politically related crimes. By this measure virtually all such prisoners being held in Sudan have been released.

d. Denial of Fair Public Trial

Other than in periods of political crisis, fair public trials are the rule. In the aftermath of the abortive coup in 1976, during which several hundred prominent Sudanese were killed without provocation, 457 alleged perpetrators were nonetheless afforded a public trial by a security tribunal. Some 300 were subsequently convicted and reportedly executed.

e. Invasion of the Home

There are constitutional guarantees against invasion of the home and these are normally respected.

2. Government Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Sudanese Government is actively promoting the development of its vast agricultural potential through programs designed to benefit not only the urban poor, who are readily accessible, but also the more inaccessible rural poor. In addition, Sudan has devoted significant resources to housing, health care and education.

Two major trade union federations in Sudan, one for blue-collar and the other for professional (largely government) workers, both make a genuine effort to represent their member's interests within broad guidelines set by government and party.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

In September 1976 the Sudanese Government suspended articles of the Constitution relating to freedom of opinion. Political freedoms such as assembly and free speech can be exercised only within certain

limits. There is religious freedom. The press is controlled by the government; it is permitted to comment critically on domestic issues. Private and public committees have been organized to advise the government on measures to reinstitute legal safeguards.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Constitutional guarantees of freedom of movement within the country were formally repealed by the 1975 amendments, but there are no such restrictions currently in force. There is no policy of restriction of foreign travel or emigration, although exit permits are required.

c. Freedom to Participate in the Political Process

The Sudanese Socialist Union (SSU) is the only legal political party in the country. Therefore there is limited freedom to participate in the political process. Independents may campaign for office upon approval of the SSU. Independent candidates have been elected to the Peoples' Assembly. Candidates are elected by universal adult suffrage. Politicians associated with parties or movements predating the current government remain at liberty to express their views in private, but they may not attempt to organize in opposition.

4. Government Attitudes and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Sudanese Government is somewhat sensitive to the human rights issue. Amnesty International reports that it planned to accept Sudan's 1976 invitation to send a mission to discuss human rights problems, but that subsequent negotiations on detailed arrangements for the mission have been inconclusive.

SWAZILAND

Swaziland is governed by the hereditary monarch of the tribal Swazi nation. In theory, his powers are not circumscribed by written legal guarantees of human rights; in practice, however, his authority is limited by a complex system of traditional rights and responsibilities. In 1973, despite his party's overwhelming victory in free elections, the King suspended the "Western" constitution and parliament which Swaziland inherited from Britain on its independence in 1968 and announced his intention to return to government through traditional tribal institutions. At that time the International Commission of Jurists feared that this could prove a "serious setback" for human rights, observing that "Swaziland has always been regarded as one of the most enlightened countries in Africa in terms of civil rights and race relations." Critics believe the attempt to revive a traditional and autocratic, if benevolent, system of government will not prove sufficiently flexible to accommodate increasing demands for more modern mechanisms for political participation. To date, however, despite the lack of written legal safeguards there has been no significant degradation of respect for human rights.

1. Respect for the Integrity of the Person,
Including Freedom from:

a. Torture

There have been no allegations of torture in Swaziland.

b. Cruel, Inhuman or Degrading Treatment or
Punishment

There is no evidence that persons in Swaziland (including political prisoners) have been subjected to cruel, inhuman or degrading treatment or punishment.

c. Arbitrary Arrest or Imprisonment

Swaziland's 1973 Security Act authorizes the arrest and detention without charge for renewable periods of 60 days of persons suspected of acting against the interests of the state. The government continues to use this authority to jail its critics for short periods without trial and without announcement of the reasons for their detention. Amnesty International protested the detention in 1976 of Dr. Zwane, leader of a small opposition party, because of an article he wrote for a South African newspaper concerning Swaziland's foreign policy. He was subsequently released. At least four persons are currently thought to be in detention for offenses ranging from political opposition to alleged disrespect for the royal family.

d. Denial of Fair Public Trial

The judiciary in Swaziland is independent and respected. It will give a fair hearing or public trial to persons claiming violations of their human rights. A dual system of courts with rights of appeal has been used with considerable flexibility and humaneness to assure recourse to both modern Roman-Dutch and traditional Swazi law to fit individual cases.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care, and Education

The government of Swaziland has launched a rural development plan designed to improve the standard of living of the majority of Swazis who depend on subsistence agriculture for a livelihood. However, some critics of the government charge that its economic development policy does not adequately address the needs of the poorer sectors of the population. The government tolerates widespread nepotism and petty corruption. As a result, significant resources have been diverted from the rural poor majority.

3. Respect for Civil and Political Liberties,
Including:

a. Freedom of Thought, Speech, Press, Religion
and Assembly

Swaziland protects the rights of its citizens to freedom of thought and religion. Freedom of speech, including the right to criticize governmental policies, is part of the Swazi tradition and is strictly respected so long as the speaking is done in the tribal councils described in 3 c below. Free assembly for political activity outside this framework, however, is not permitted. The press and radio are subject to government control and occasional censorship. Information dissemination is not vigorously controlled; considerable latitude is allowed to privately-owned publications. Swaziland does not permit trade unions, a restriction which contributed to a brief and unusual outbreak of protest and violence in late 1977.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Swaziland permits full freedom of movement within the country but restricts the freedom to emigrate.

c. Freedom to Participate in the Political
Process

The government of Swaziland considers itself responsible to the people of the tribal Swazi nation but believes that its legitimacy is derived through national tradition rather than electoral processes. It seeks to take account of the will of the population, but provides few mechanisms for its organized expression. Since the dissolution of Parliament in 1977, King Sobhuza has ruled as King-in-Council with advice from the former cabinet and tribal chiefs. In 1977

the King proposed a new system for selecting popular representatives based on the traditional tribal councils or Tinkhundla, in which all Swazi citizens can speak out on issues of political concern. While this method offers no opportunity for elections or other formal mechanisms for political participation, it is defended by the government as better suited to Swazi customs and appears to enjoy broad support among the tradition-oriented Swazi population.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Government of Swaziland has not attempted to restrict independent investigation of the human rights situation in its country. It is sensitive to expressions of international concern about specific allegations and in 1977 cooperated with inquiries by the UN High Commission for Refugees into charges that it was pursuing a policy of "benign neglect" toward political refugees from South Africa and Mozambique. It accepts full responsibility for the protection of the human rights of its citizens and does not attempt to cover up any violations of those rights which may occur under its system of limited legal safeguards and political rights.

TANZANIA

Tanzania is a one-party parliamentary republic. Tanzania's President Julius Nyerere has consistently called for majority rule in southern Africa with guarantees for minority rights. Nyerere opposes apartheid but at the same time has been one of the few African leaders to condemn the regime of Uganda's Idi Amin, leading several observers to call him "the conscience of Africa." An avowed socialist at home and abroad, he is in the forefront of the North-South dialogue and is one of the leading theoreticians calling for more resources to be transferred from the economically developed countries to the less-developed nations.

In contrast to its stance on violations of human rights in other countries, Tanzania tends to ignore, or at best to justify in the interests of state security, most domestic violations of human rights. Detention laws are usually described by government leaders as a necessary evil, and ideology subordinates the rights of the individual to the needs of the state.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture has occurred on occasion but is not condoned in Tanzania. In recent years the government has sought to restrain officials and punish violators. Two ministers and several other officials were forced to retire in January, 1977 on the grounds that police within their jurisdiction (but without their knowledge) had used torture against suspects. Torture was also likely in the case of a number of prisoners held on Zanzibar in recent years. After government review, the forced confessions of many of these prisoners have been disallowed as evidence; accordingly several of these prisoners have had their sentences reduced and some have been released.

b. Cruel, Inhuman or Degrading Treatment or Punishment

A permanent commission has just been established to protect individuals from abuse by authorities. Prisons, however, are seriously overcrowded and have minimal facilities. The death penalty has rarely been implemented.

c. Arbitrary Arrest or Imprisonment

Under the national security laws the government may indefinitely detain without trial or public hearing any individuals considered dangerous to the safety, good order or interests of the country. Precise figures on the number of detainees are unavailable. The latest Amnesty International Report (November 1977) estimates the number of detainees to be between 1,000 and 1,500. These include several members of southern African liberation movements.

d. Denial of Fair Public Trial

The threat of prosecution is used for harassment on some occasions, and occasionally cases are kept pending for long periods, even though the government realizes there may eventually be an acquittal. In cases removed from the political context, the right to fair public trial is respected.

e. Invasion of the Home

Invasions of the home have occurred in the past, but have recently been halted as a result of criticism by President Nyerere.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Tanzanian socialism is redistributive. It has been pursued with the goal of sharing the limited resources of the country; there has been a substantial redistribution of wealth. The government's economic policies focus on raising the standard of living of the rural poor and providing services to these people.

Tanzania's experiment has worked for the most part, in that the resources are finding their way to the

rural sector and that few individuals or families have become wealthy. The salaries of government officials are strictly limited, as is access to automobiles, quarters and other such job-related benefits in which corruption might play a role. The majority of the population shares in the nation's wealth, and poor economic performance can usually be traced to inefficiency or strict adherence to ideology.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Freedom of religion is observed in Tanzania, but other basic civil rights are subordinated to the achievement of Tanzanian socialist objectives. Freedom of assembly is subordinated to the wishes of the party. Circulation of foreign books and magazines is fairly free, but local press, media and educational institutions present a single propagandistic point of view. Public dissent with basic policies and ideology is not permitted, but private intellectual inquiry does not seem to have been directly impaired. The labor movement is integrated into the government/party structure. The government has the authority to veto agreements arrived at through its own collective bargaining process.

b. Freedom of Movement within a Country, Foreign Travel and Emigration

Movement within Tanzania is unfettered, although citizens without jobs are required to move to rural villages where they engage in subsistence agriculture. Foreign travel is without restraint other than strict passport requirements. Emigration is not obstructed by government regulation.

c. Freedom to Participate in the Political Process

Tanzania is a one-party parliamentary republic. Its constitution confirms the party in its role as sole architect of national policy. Opposition parties are not permitted. About half of parliament is directly elected by universal suffrage, with two candidates

(both approved by the party) running against each other for a single seat. Incumbents have been challenged and defeated. Remaining members are appointed or elected without opposition. The island of Zanzibar retains internal autonomy. Its first elections since independence in 1963 were held in December 1977, and the process went off smoothly.

4. Governmental Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

Amnesty International conducted a campaign against the treason trial of a number of people on Zanzibar over the past two years but did not have on the spot observers. While the Zanzibar Government claimed that outside criticism did not affect the course of the trial, nearly all of the death sentences were commuted in January 1977, except for those tried in absentia who are in jail on the mainland and will not be returned for execution. A number of Zanzibaris involved in this trial were acquitted after having served several years in prison.

Tanzania played host in September 1976 to a seminar sponsored by the International Commission of Jurists on "Human Rights, Their Protection and the Rule of Law in a One-Party State". Although the ICJ conducted no investigations during the seminar, Tanzania's willingness to host a conference of this nature, which could call attention to its own domestic shortcomings, is significant. No other requests for such investigations have come recently.

TOGO

Togo is a one party state with a mixed socialist-private enterprise economy. The present regime came to power in a military coup in 1967. President Eyadema is the only military officer holding cabinet office. The country is small and its primary natural resource is phosphates. President Eyadema has developed a nationalist philosophy to unify an ethnically diverse population and has strongly promoted economic and social development. There were arrests in the spring of 1977 of persons suspected of being a front for communist efforts to subvert the regime. They were released after publicly professing loyalty. There are no known political prisoners. National unity and social progress are given precedence over individual civil and political liberties. Amnesty International visited Togo at the invitation of the government in the fall of 1977. The results of that visit are unknown, but this indicates a degree of confidence by the government in its human rights record.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

The President has stated that torture had occurred in some cases in the past on the initiatives of subordinates, but that he had not been informed at the time and disapproves of its use. There is no indication that torture is presently occurring.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Prison conditions reflect the poverty of the country, but there is no evidence of cruel, inhuman or degrading punishment.

c. Arbitrary Arrests or Imprisonment

The government this year released the approximately 35 political prisoners it acknowledged holding. We are not aware of any arbitrary arrests since the releases.

d. Denial of Fair Public Trial

Virtually all defendants enjoy due process, including fair, public trials, under a legal system closely modeled on the French system. Persons detained in political cases (in which the executive has influence over the courts) have resorted to pleas for presidential clemency which have been granted.

e. Invasion of the Home

This is not usual, but may occur in rare political cases if the government deems it necessary.

2. Government Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Togo's budget reflects the high priority accorded to education, health and agriculture. For example, while the overall budget increased ten percent in 1977, the budget for the ministries of Education and Rural Development increased 33 percent. Resources are limited but it is expected that in the long term these budget increases will result in improvement in the quality of rural life in Togo. Weather, pricing policies and traditional practices have hampered development of agriculture. The government is in the process of upgrading its defense structure in response to what it perceives as an increased communist threat in the region. The Ministry of Defense received a 30 percent increase in the 1977 budget and now gets about 18 percent of the total budget. The GOT's strong opposition to corruption is apparent in numerous cases of the arrest and prosecution of allegedly venal officials.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Freedom of thought, speech, and assembly are respected to a substantial degree but are limited by the fact that political activities outside the sole political party are discouraged. Freedom of religion is respected. The press is government-controlled. Labor unions are influenced but not directly controlled by the government.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Free movement, including domestic and foreign travel and emigration, is to our knowledge allowed.

c. Freedom to Participate in the Political
Process

There have been no elections since a plebiscite in 1972 in which support for the President was expressed by almost 100 percent of the popular vote. Within the single party system, active participants are in a position to express their views on such issues as the functioning of the government and performance of individuals up to and including members of the government. Togolese who do not take an active role within the party play a minimal political role. An active role in party leadership is limited to those who have shown some leadership ability and support party objectives but all Togolese are encouraged to actively demonstrate support for and help to implement party objectives. While the regime is military-backed and came to power through a coup d'etat, the president is the only military man holding a cabinet position. Rule is by decree.

4. Government Attitude and Record Regarding
International and Non-Governmental
Investigation of alleged Violations
of Human Rights

A representative of Amnesty International visited Togo in the fall of 1977 at the invitation of the Government, a demonstration of Togo's positive attitude toward international investigation and confidence in its record of human rights observance.

UPPER VOLTA

Upper Volta's military government has scheduled a return to civilian rule in 1978. A new constitution based on the French model of a strong democratic executive branch and a democratic parliamentary system was approved overwhelmingly in a national referendum on November 27, 1977. The previous ban on political organizations and groups was lifted one month earlier. Seven political parties have now registered for the legislative elections now scheduled for April 30. Presidential elections are set for May 14. The military took power in Upper Volta in February 1974 after a legislative deadlock between the Prime Minister and the National Assembly paralyzed the government. The government is presently composed of a majority of civilians. It has demonstrated a strong respect for human rights.

1. Respect for the Integrity of the Person, Including Freedom from

a. Torture

Torture is not practiced in Upper Volta.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There is no such treatment or punishment in Upper Volta.

c. Arbitrary Arrest or Imprisonment

There have been no reported incidents of arbitrary arrests or imprisonment in recent years, nor are there any political prisoners in Upper Volta. Freedom from arbitrary arrest or imprisonment is guaranteed by the new constitution and is respected in practice.

d. Denial of Fair Public Trial

The right to a fair public hearing and trial is observed. The right to trial is guaranteed under the new constitution.

e. Invasion of the Home

The home is considered inviolable and a search warrant can only be obtained under appropriate conditions specified by law.

2. Government Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The right to work, health care and education are guaranteed under the new constitution. One of the poorest nations in the world, Upper Volta has actively sought foreign assistance to improve the living conditions of its citizens. The present government has developed programs with foreign assistance donors to fulfill basic needs for food, shelter, health care, and education. The government has been relatively successful in its efforts to pursue economic development programs with external assistance.

3. Respect for Civil and Political Liberties, Including

a. Freedom of Thought, Speech, Press, Religion and Assembly

The new constitution guarantees the freedom of thought, speech, press, religion, and assembly, and they are respected in practice. These civil liberties have also been respected in the past. Labor unions operate free from government control and the right to strike is guaranteed under the new constitution.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Freedom of movement is unrestricted, and there are no controls on foreign travel or emigration.

c. Freedom to Participate in the Political Process

On October 1, 1977 Upper Volta's new constitution was published and then ratified by national referendum on November 27. The new constitution will return Upper Volta to civilian rule in 1978 following elections for the National Assembly and the Presidency. The constitution provides for "direct universal suffrage" in presidential and legislative elections, which a subsequent electoral law has defined as all male and female adults aged twenty-one and over. Only one citizen, former President Maurice Yameogo, has not had his rights

to participate in the political process restored. The new constitution calls for the establishment of three permanent political parties -- those drawing the most support in the forthcoming legislative elections.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

We are unaware of any claim of alleged human rights violations in Upper Volta or any requests by international bodies to visit to inspect human rights conditions. The Upper Volta Government would probably allow outside investigation of human rights violations, provided honest concerns were expressed.

ZAIRE

Since independence in 1960, Zaire has experienced almost seven years of civil war or semi-anarchy. President Mobutu's main task has been to establish government authority over a vast country with more than 200 separate ethnic groups. Individual political rights have a substantially lower priority than collective economic, social and political development. The March 1977 Shaba invasion heightened the government's sense of insecurity. Improvement of security and economic conditions should tend to create a more relaxed relationship between the government and the population.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There is no evidence of torture.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Isolated incidents of cruel, inhuman or degrading punishment occur. These appear to be caused by police -- who risk punitive action if caught -- rather than from any concerted government effort. There are often physical hardships in prison such as inadequate, crowded cells, poor sanitary conditions and severe malnutrition.

c. Arbitrary Arrest or Imprisonment

Arbitrary arrest and imprisonment do occur in Zaire. There were some such cases during the 1977 invasion of Shaba province from Angola. Most detainees were released relatively quickly but some remain in prison. In more normal times the number of arbitrarily arrested individuals is relatively small and they are released in a few days for the most part. These latter cases are generally attributable to overzealous or venal local officials, acting outside their directives, who are subject to disciplinary measures when exposed.

A notable case involves former Foreign Minister Nguza who was arrested, tried, convicted and incarcerated for alleged treason in connection with the invasion of Shaba. While his treatment is often viewed as having been arbitrary and capricious, the judicial proceedings

appear to have followed the provisions of the Zairian Constitution and statutes. The original death sentence was subsequently commuted by President Mobutu to life imprisonment.

d. Denial of Fair Public Trial

Persons charged with non-political crimes are entitled to and receive a fair and public hearing by an impartial tribunal. Those accused of political crimes or trafficking in precious minerals and metals are tried in the State Security Court, whose sessions are not often public.

Amnesty International's 1977 Annual Report noted the in camera military trial and sentencing of about 40 persons in an abortive June 1975 coup plot. Death sentences, which have not been carried out, were given to seven persons. Seven others were acquitted and 26 received terms of six months to 20 years. This account appears to be accurate.

e. Invasion of the Home

Sanctity of the home is respected, except in rare political and security cases.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

In 1972-1973 Zaire began an ambitious development program concentrated on large, capital-intensive projects. The program assumed a continuing high level of copper export receipts. In addition the government launched a program of radical economic reform intended to increase national control over the economy. Neither program achieved its objective. This, combined with the fall of copper prices and the closure of the Benguela railroad in Angola, had a serious negative impact on the economy and the well-being of large segments of the population.

At the same time, the government took over all educational institutions (hitherto largely church and missionary run). This resulted in significantly fewer educational opportunities.

In 1976 President Mobutu began returning properties as an inducement to expatriates to return to Zaire, making

peace with the church, returning control of basic education to the missionaries, and implementing a program of economic reform. The government accepted an International Monetary Fund stabilization program in 1976. This was only partially successful. In 1977 the government committed itself to a more severe IMF stabilization program to improve control over expenditures through better management of national resources.

Corruption, which has increased over the years, diverts resources from the poor. President Mobutu's program of economic reform includes efforts to reduce corruption.

3. Respect for Civil and Political Liberties,
Including:
 - a. Freedom of Thought, Speech, Press, Religion
and Assembly

There is a government effort to inculcate a national philosophy of "authenticity" which does not encourage the expression of alternative intellectual outlooks. Accordingly, freedom of speech and press are restricted. Government restrictions on the independence of religious institutions and the practice of religion have been rescinded and freedom of religion largely restored. The right of assembly for political purposes is prohibited unless under the aegis of the single political party.

Although Zaire's sole legal labor movement, National Union of Zairian Workers (UNTZA), is under the domination of the ruling party, it still possesses a degree of independence. In August 1977 the union held its first election since its formation in 1967.

- b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Freedom of travel within the country is generally unrestricted. Temporary limitations for reasons of security may be imposed on travel to specific areas such as Shaba. Excessive migration to the capital is actively discouraged owing to such considerations as high urban unemployment. Foreign travel and emigration are generally unrestricted.

- c. Freedom to Participate in the Political Process

Zaire is a one-party state. According to the new electoral law of June 1977, Zairians 18 years of age and older may vote for local officials, the national legislative assembly and for president. Exceptions are those mentally ill, subjected to military discipline within the last ten years, guilty of serious violations of party discipline, or residing abroad. Local, regional and party elections were held in October with wide voter participation. To attain political office, a Zairian citizen must be an active party member.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

Sensitive to earlier criticism that it restricts outside access, the Government of Zaire permits missionaries and international organizations such as the International Red Cross, the United Nations Human Rights Commission, and the International Rescue Committee to operate relatively freely in Zaire. We know of no recent requests for outside investigations of human rights conditions in Zaire, although Amnesty International is researching several individual Zairian prisoners. On the other hand, foreign journalists are sometimes limited in their access or on occasion expelled for reporting judged to be inaccurate or otherwise contrary to the nation's best interests.

ZAMBIA

Zambia is a one-party state with a strong presidency and extensive constitutional guarantees of human rights. To some extent, these guarantees have been impaired or suspended by the continuing existence of a state of emergency in Zambia, which is deemed necessary by the government due to the external pressures resulting from the armed struggles for majority rule and self-determination in neighboring Rhodesia and Namibia.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

We have no evidence of torture practiced by the Zambian authorities, although beatings and other maltreatment were alleged in the case of Rhodesian nationalists detained following a period of interne-cine violence in 1975.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Cruel, inhuman or degrading treatment or punishment is not practiced to our knowledge in Zambia, although Zambian prisons are acknowledged to be crowded and unsanitary. Health care for prisoners may not always be adequate, although it is available in emergencies.

c. Arbitrary Arrest or Imprisonment

Under the State of Emergency which is considered to have been in effect since independence, the President of Zambia has wide discretion to detain or restrict the movements of individuals. Those so detained enjoy certain rights, among them the right to receive notice of the reason for detention, publication of the fact of detention, access to counsel, and the right to seek judicial review of the detention order after one year. However, habeas corpus is not available to persons detained under presidential order, and the detaining authority is not obliged to accept the recommendations of the Judicial Review Tribunal. The Zambian courts have consistently upheld the presidential detention authority.

The President's detention powers have been used in recent years against political opponents, unruly Rhodesian nationalists and dissident Namibians, common criminals, striking university students and professors, and violators of currency control regulations. In most cases, detainees are either released or formally charged once investigation of their cases has been completed, but a few have been continuously detained for years. There is no reliable estimate of the number of persons currently under presidential detention order in Zambia, but it is probably somewhat below the 200 thought to have been detained as of mid-1976.

d. Denial of Fair Public Trial

The citizen's right to a fair public trial is generally observed in Zambia, although this is not true in the case of presidential detainees. In cases coming to court, the familiar safeguards of English common law are provided, and lawyers handling even sensitive political cases have expressed their continuing confidence in the independence of the Zambian judiciary. Individuals who consider that their rights have been or are likely to be contravened through unlawful arrest or detention may apply to the high court for redress; in 1972 several former political detainees successfully collected damages for assault and false imprisonment.

e. Invasion of the Home

Except in extraordinary political cases, the sanctity of the home is observed in Zambia.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

In times of high copper prices, Zambia is one of the more fortunate African countries, with the resources to permit delivery of substantial medical, educational

and social services to the public. The government's policies are heavily weighted toward the welfare of the citizen.

Zambia's dependence on copper has meant that when the world price is depressed (as it has been since 1975), the Zambian Government's ability to provide basic services is substantially impaired. President Kaunda has recently thrown his full prestige behind efforts to diversify the Zambian economy, putting particular emphasis on developing Zambia's significant agricultural potential.

There is no evidence that official corruption diverts significant resources away from development efforts or from the poor majority. President Kaunda has actively sought to communicate his own personal honesty to government officials, and has acted forcefully against violators of the public trust.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Freedom of thought, expression and assembly are circumscribed by the constitutional ban on all political activity outside the one-party structure (see paragraph 3c below).

Although both Lusaka newspapers are controlled, one by the government and the other by the sole legal political party, "constructive" media criticism of government performance is permitted, and has been sharp and widespread for the past year, particularly in reference to the government's economic policies. Criticism of the head of state and of the basic national philosophy, Humanism, is not allowed. Criticism of the President is punishable by fine or imprisonment. Censorship of foreign publications exists but is not stringent.

Freedom of religion is constitutionally guaranteed and

strongly supported by President Kaunda. The exceptions have been the Lumpa sect, which was banned in 1964 following a series of bloody anti-government riots, and another small sect banned for alleged sexual immorality. No systematic persecution of the controversial Jehovah's Witnesses has been reported in Zambia, although Zambian Witnesses have been subject to considerable public criticism by Zambian political leaders, and some localized harassment has undoubtedly occurred.

The Zambia Council of Trade Unions is a relatively militant and independent organization whose member unions take a strong stand in defense of workers' interests.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

As noted above, the President may, under his emergency powers, restrict the movements of individuals within Zambia. The government also reserves the right to refuse or withdraw passports as a means of preventing foreign travel by individuals whose activities abroad are considered not in the best interests of Zambia. Freedom to emigrate, however, has not been impaired by the Government.

c. Freedom to Participate in the Political
Process

Under the 1973 constitution, the United National Independence Party (UNIP) is designated the sole legal party in Zambia. Candidates for political office at any level must be members of UNIP, and are subject to "vetting" for suitability as candidates by higher party authority. In Zambia, this system is described as "one-party participatory democracy," and the government maintains that competition within the one-party framework (including elections with universal suffrage in which secrecy of the ballot is protected) gives adequate expression to the will of the citizenry.

In 1971 Simon Kapwepwe, a former close associate

of President Kaunda, broke away from UNIP to form his own United Progressive Party (UPP). The UPP was banned and Kapwepwe rusticated in February 1972, when President Kaunda announced that Zambia would become a one-party state. Kapwepwe and several of his senior followers rejoined UNIP in September, 1977, formally ending the UPP schism.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Zambian Government's human rights record has not been the target of intensive investigation in recent years, and there have been no requests for outside investigations of alleged violations. Amnesty International has criticized Zambian treatment of some Rhodesian detainees. The Government has not responded publicly to AI's criticism.

CENTRAL AND SOUTH AMERICA

BOLIVIA

Bolivia is one of the poorest nations in Latin America. The harsh realities of geography, complicated by the lack of access to the sea, have frustrated until recently any sustained efforts at development. In good part as a result of these conditions, Bolivian history, even during periods of democratic rule, has been marked by bouts of violence and instability, frequently accompanied by state of siege and other extraordinary provisions limiting personal and political rights.

President Banzer's announcement of November 7, 1977 that Bolivia would return to civilian constitutional government in 1978 has led to a series of significant improvements in the status of human rights. In the area of political rights the Government has announced that Presidential and parliamentary elections will be held on July 9, 1978 and all restrictions on political party and trade union activities have since been lifted. In the area of personal and political security there has been significant change as well. First, the Government announced in December a partial amnesty allowing all but 348 Bolivians to return from exile. At the same time the Government announced the release of 33 of the 52 political prisoners then in custody and the remanding for trial of the remaining 19.

Then in January 1978, under pressure of a hunger strike, the Government announced a general amnesty to all Bolivians in exile or subject to the system of "residenciamiento" (restrictions on activity or movement). Continued economic progress, with significant emphasis on the rural poor, has also undoubtedly improved the situation of some of the poorest segments of Bolivian society and contributed to the economic and social cohesion of this country.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Informed Bolivian human rights proponents report that the security police continued in 1977 to use forms of

torture against political prisoners they considered to be important during initial interrogation to obtain information. However, with the decrease in 1977 in the number of political prisoners (see c below) there was a significant decrease in the number of alleged incidents of torture. With the release of 33 political prisoners and the remanding to the courts for trial of the remaining 19 political prisoners in December 1977 and January 1978 there have been no recent allegations of torture.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Many prisoners have been roughed up during the first days of confinement. Some have been severely beaten. However, the trend has apparently been toward fewer incidents and less severe treatment. When it occurs, mistreatment is most likely during initial interrogation before arrival at detention centers. International observers consider that treatment of political prisoners in detention centers is generally correct. Catholic Church and International Red Cross representatives report that the Government has allowed them unimpeded access to almost all political prisoners, and that prisoners are able to receive weekly visits from their families. The Red Cross has also been able to assist prisoners with medicine, blankets, food, etc.

c. Arbitrary Arrest or Imprisonment

The number of arbitrary arrests followed by imprisonment, as mentioned above, declined significantly during the past year. In a report published in October 1977, the Bolivian Permanent Assembly on Human Rights (PAHR), listed 450 persons as having been detained on politically-related charges for various periods during the first 10 months of 1977. The PAHR is a human rights organization, including members of the clergy and some opposition politicians. It is led by Father Tumiri and former President Siles Salinas. The PAHR figure for 1976 was 800, 900 for 1975, and 2,400 for 1974. Some observers feel these figures are exaggerated, and confirmation is impossible. However, they do suggest a steady decline in the number of people arrested on political charges.

Most persons arrested for alleged security or political offenses are detained for brief periods and released. There are no confirmed figures on the number of political prisoners, but one estimate suggested 58 at mid-December 1977, down from between 80 to 170 a year earlier depending on the source. There may have been as many as 1000 trade unionists detained for up to six months, as Amnesty International has reported, if that figure includes the many who were held for only a few days. On December 21, 1977, the Government announced that of the 52 political prisoners it said it held at that time, 33 would be released and the remaining 19, considered violent and dangerous, would be handed over to the courts for trial.

d. Denial of Fair Public Trial

The 1967 Constitution contains a particularly detailed and clear guarantee of due process, including habeas corpus. The Government has overridden these guarantees with a 1972 General Security Decree and by a November 1974 announcement that the Constitution would be overruled by specific decrees. No political prisoners were actually brought to trial during 1977 and PAHR efforts to secure habeas corpus by the courts have been rejected. However, as mentioned above, the Government has now turned over 19 political prisoners to the courts for trial. In cases of non-political prisoners, mechanisms for fair and public trials exist but delays, as noted below, hinder the judicial process.

Despite strong U.S. Government efforts to achieve rapid judicial processing of the cases of US citizens confined in Bolivian prisons, awaiting trial on narcotics charges, and despite increasing cooperation from the Bolivian authorities, progress in the cases has been inordinately slow. The procedural delays affect everyone, Bolivians and foreigners alike, and are not the result of policy but of the inherent problems of the system. However, there has been improvement in moving American cases through the courts, and during the second half of 1977 15 Americans were released. In November the Bolivian Government appointed a commission of distinguished jurists and high-level officials to recommend reforms of the narcotics

law, having particularly in mind the need to enhance guarantees of due process.

e. Invasion of the Home

Invasions of the home probably occur from time to time. There is no evidence that the central government condones these practices.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Government has formulated a Five Year Economic and Social Development Plan for the 1976-1980 period. The plan calls for rapid growth and development. It also sets forth the goals of improving national income distribution, incorporating the rural population (over 60% of the population) into the modern life of the country, and improving the welfare of the poor through education, health and agriculture programs.

Current Government agricultural policy, while giving priority to commercial crop development, also seeks self-sufficiency in food production for domestic consumption. In support of its agricultural sector objectives, the Government increased the Ministry of Agriculture's budget by 56% in 1976.

Five Year Plan goals for the health sector are to increase life expectancy to 52 years by 1980, to reduce infant mortality and morbidity rates by 6% and 8%, respectively, and to strengthen health services. The Ministry of Health receives only 1.2% of the public budget. Despite this stringent resource base, the Ministry doubled its investment budget in 1976 and has since concentrated on construction and renovation of health facilities.

Education expenditures constitute 28.5%, the largest single item of the national budget. However, over half of education expenditures are in urban areas, whereas two-thirds of the population is rural.

The Bolivian housing program has been directed at urban requirements. Recently, however, the Government has expressed interest in extending low-cost housing development and the savings and loan system to the countryside.

Urban poverty is widespread. But the nation's recent rapid economic progress, including an urban construction boom, appears to have raised urban employment. Much of the industrial and infrastructure investment contained in the Five Year Plan can be expected to help the urban poor.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

These rights are generally respected in Bolivia with some exceptions, most of which are in the process of being removed. On November 9, in preparation for presidential elections to be held in July 1978, President Banzer announced the lifting of the November 1974 decrees suspending all political activity. Political parties are now free to assemble and conduct their normal activities. In mid-1977, representatives of a British mine workers union secretly visited a Government-run mining area in Bolivia. They later issued a report criticizing working conditions and restrictions on labor union activity. However, in January 1978 the Government lifted all restrictions on trade union activities. Restrictive decrees remain in effect for universities and professional groups but are now under active review and it is expected that these too will be ended either shortly before or after the July 1978 election. In the meantime, civic organizations continue to meet without government reprisals.

In October 1977, the Committee on Freedom of the Press of the Inter-American Press Association (IAPA) questioned the desirability of the establishment of a national system of information, which had been decreed by the Government. However, it also noted that the Government amended the decree after strenuous objections from the

Bolivian press. The reformed decree states, "The Government of the Armed Forces maintains its objective of respect for freedom of expression, access to sources of information, and the right to express opinions and criticisms on public matters." The Committee also noted there was a considerable amount of self-censorship. More recently, the press has exercised less self-censorship in response to the more open atmosphere created by the announcement of elections.

Bolivians enjoy total freedom of religion.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Most Bolivians enjoy complete freedom of movement, both within and outside Bolivia. However, the PAHR has estimated that the Government has exiled some 3,610 people for political reasons since taking power in 1971. The number exiled annually has dropped steadily through 1977. While the Assembly also states that "a total of 19,410 people have had to leave Bolivia since 1971", this figure includes 5,430 people who have chosen to leave, many apparently out of concern over how they might be treated should they stay, and some 10,000 dependents.

In two stages, the first on December 21, 1977 and the second on January 17, 1978, the Government extended amnesty to all political exiles. Amnesty was also granted to those Bolivians under the system of "residencia", which restricts an individual to or from an area, e.g., a miner believed to have been involved in proscribed political activity being restricted from returning to work in the mine.

There are no known restrictions on emigration.

c. Freedom to Participate in the Political Process

As noted above, on November 9, 1977, in announcing presidential elections for July 1978, President Banzer also announced the lifting of the November 1974 decree suspending all political activity. He also issued a

general amnesty allowing all Bolivian politicians to return from exile. Political parties are now awaiting further word from the Government regarding ground rules for the conduct of the elections. The last national election in Bolivia was held in 1966.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Government has cooperated fully with representatives of the International Committee of the Red Cross (ICRC) during 1977. The Swiss ICRC delegation and a Swiss ICRC medical doctor visited political prisoners in Bolivia in November 1977, and were able to talk privately with all of them. The Government has also cooperated with Bolivia's Catholic Church.

The Bolivian Government has not generally harassed the PAHR, but in late 1977 11 of the 12 members of the PAHR's sub-division in the important mining center of Catavi were allegedly detained or transferred to other mining areas. During the January 1978 hunger strike directed by the PAHR, one PAHR official was arrested for two days and then released unharmed at the end of the strike.

COLOMBIA

Colombia is a practicing constitutional democracy with an elected president, a two-house legislature, and an independently functioning judicial system. The present Lopez Administration was elected to office in 1974. Congressional and Presidential elections are scheduled for February and June 1978, respectively. The country has one of the best human rights records in Latin America. Though beset with serious problems--including poverty, inflation, crime, narcotics trafficking, guerrilla activities, and occasional public disorders--Colombia's adherence to its democratic traditions and its respect for human rights remain strong.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

It is clear that Colombian Government policy is against the practice of torture. The infrequent charges of torture are investigated by the Government and violators have been punished in accordance with Colombian law.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There have been no reports of cruel, inhuman or degrading treatment or punishment.

c. Arbitrary Arrest or Imprisonment

Colombian citizens are generally free from arbitrary arrest or imprisonment. When a state of siege is in effect (provided for in Article 121 of the Constitution) the Government has broad powers to arrest and detain persons to preserve public order, but these powers have been used sparingly. A state of siege has been in effect for most of the post-World War II period and was in force at the end of 1977. In September 1977, close to 4,000 persons were arrested and detained for disturbing public order--mainly for breaking the curfew during a national strike. Only a small group (approximately 50 to 55) were detained for more than a few days, and then

only after having been charged with specific crimes, i.e. assaulting police officers, looting, arson, etc. There have also been occasional reports of temporary detentions of peasants in disputes over land tenure, as well as accusations that local authorities showed bias in favor of the claims of influential landowners.

d. Denial of Fair Public Trial

The right to a fair public trial is observed. The Colombian judiciary is noted for its fairness and independence. The length of the trial process is often a problem, due to the increase in crime and an outmoded judicial system (which the Colombian Government plans to reform).

e. Invasion of the Home

No reports have been received of arbitrary intrusions into homes by Colombian law enforcement personnel.

2. Government Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

For many decades economic development has been identified as a high priority of the Government. The Lopez Administration's four-year development plan, entitled To Close the Gap (i.e., the gap between the haves and the have-nots in Colombia), stresses assistance for the poor--particularly the neglected rural poor--in the areas of education, health, and nutrition. The Government is emphasizing the need to increase agricultural production in order to meet more fully the food requirements of the poor. Better housing for the poor is also a major concern and activity of the Government. Much poverty remains, however, as does the great contrast between rich and poor.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

There is full respect for freedom of thought, speech, press, and religion in Colombia. While the Roman Catholic faith is accorded the status of the official religion, freedom of religion is guaranteed and observed. Freedom of assembly is generally permitted, but the Government can and sometimes does ban demonstrations and rallies (under the aforementioned Article 121) if it believes the public order is endangered. The September 1977 national strike, declared by the four major labor confederations, was ruled illegal by the Government. Violence occurred when the confederations nevertheless carried out the strike. On November 18 the confederations requested and received Government permission to stage demonstrations, which were peaceful.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There are no restrictions on freedom of domestic or foreign travel or freedom of emigration.

c. Freedom to Participate in the Political Process

Despite frequent states of siege, there is full freedom to participate in the political process. Political parties and other organizations from the far left to the right operate legally and without official harassment. Only guerrilla organizations which carry out acts of violence are proscribed. In this century there has been only one period of military rule (1953-57). Local elections are held every two years and national elections every four years. They are considered to be administered fairly.

4. Government Attitude and Record Regarding International and Non-Government Investigation of Alleged Violations of Human Rights

The Colombian Government is proud of the country's human rights record, and has shown a willingness to cooperate with the few investigations undertaken by international and non-governmental organizations. The Amnesty International Report 1977 noted that four prisoners whose cases were taken up by Amnesty were released by court

order in October 1976. The Amnesty International Report 1977 also discussed problems connected with human rights in the rural areas of Colombia, which it judged to be "largely the result of excesses by local authorities." It noted that "national authorities have shown considerable willingness in the past to intervene to remedy abuses when they were reported."

COSTA RICA

Costa Rica is a constitutional democracy with an elected president and legislature, and an independently functioning judiciary. The country's political system is noted for its openness and dynamism. The Oduber administration was elected in 1974, with new elections scheduled for February 1978. That Government has been responsible for social welfare improvements and has maintained the good record already set in health care and education. The country is a model of independent and impartial administration of justice. Costa Rica has a very good record in the field of human rights.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

The Costa Rican constitutional guarantees against use of torture are fully respected.

b. Cruel, Inhuman, or Degrading Treatment or Punishment

Constitutional guarantees against cruel, inhuman, or degrading treatment or punishment are fully respected.

c. Arbitrary Arrest or Imprisonment

Constitutional guarantees against arbitrary arrest or imprisonment are respected exceptionally well.

d. Denial of Fair Public Trial

Constitutional guarantees of fair public trial are fully respected.

e. Invasion of the Home

There are effective legal safeguards against arbitrary invasion of the home.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health

Care and Education

The Costa Rican Government has made serious efforts to reduce both rural and urban poverty by providing social services and generating employment. Recent examples in this regard are assistance to small labor-intensive industries, construction of low-cost housing for the poorest urban population, and development of the asignaciones familiares (family allowance) welfare system.

In the health field, emphasis has been on general health care programs. Population planning and food and nutrition programs are extended to the rural areas. Medical services through the national security system reach a large segment of the population.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Costa Rican constitutional guarantees of freedom of thought, religion, and assembly are fully respected. The press is completely free and presents divergent views.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Domestic and foreign travel and emigration are unhindered. In addition, Costa Rica provides asylum for many people of varying political persuasions.

c. Freedom to Participate in the Political Process

Freedom to participate in the political process is provided for in the Costa Rican constitution and respected fully in practice. Elections are free, highly competitive and open.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Government of Costa Rica has extended a standing invi-

tation to the Inter-American Human Rights Commission to visit whenever it wishes. Costa Rica has been a strong advocate of human rights issues in international fora. Costa Rica was one of the first two states to ratify the American Convention on Human Rights and, for close to two decades, has been an active supporter of the creation of a High Commissioner for Human Rights in the United Nations.

DOMINICAN REPUBLIC

The Dominican Republic is a constitutional democracy, with an elected President, a bicameral legislature, and an independent judiciary. The current government is headed by President Joaquin Balaguer, now in his third four-year term of office. The Dominican newspapers operate freely. The virtual disappearance of insurgency attempts, kidnappings, and assassinations since the early 1970s has resulted in a substantial reduction in incidents of military and police repression. The Dominican Government has officially promoted a number of human rights improvements, has co-sponsored with the United States the resolution on human rights at the June 1977 Assembly of the OAS, and has signed the American Convention on Human Rights. Over a dozen political parties are officially recognized and freely active, although the 1974 elections were marred by incidents of military intervention on behalf of the President's re-election.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Although common under the Trujillo regime (1930-1961), torture does not appear to be practiced now.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Most prisoners do not experience cruel, inhuman, or degrading treatment or punishment. However, physical abuse of some prisoners occurs in the Dominican Republic (although not condoned by the Dominican Government) but appears to have decreased. Prisoners or their families occasionally complain of severe beatings by prison guards and degrading conditions. When such complaints come to public attention, often through the press, the Government has responded to ameliorate conditions somewhat. Improper actions or abuse of power by police officers are normally investigated, and numerous policemen have been dismissed for cause. However, prisoner discontent over conditions led to disturbances in La Victoria prison in October 1977. In February 1977, the Government announced plans to construct several new prisons.

c. Arbitrary Arrest or Imprisonment

Opposition members have sometimes been arrested and held for several weeks or months and then released. Charges are usually filed promptly, however. The Napoleonic Code, on which Dominican law is based, gives greater authority to the state than does the common law system to arrest and hold individuals suspected of criminal violations. The total number of political prisoners has been reduced from several hundred in the early 1970s to an estimated few dozen in 1977. Most, if not all of these political prisoners were convicted of politically-motivated crimes of violence, including kidnapping and murder. Some violations of human rights, including arbitrary arrest, continue to occur.

d. Denial of Fair Public Trial

Laws providing for fair public trials are generally respected. Trials of persons accused of politically motivated violence, while public, sometimes drag on for months or years.

e. Invasion of the Home

The legal safeguards against arbitrary invasion of the home are usually, but not always, observed.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Dominican Government development programs give high priority to agricultural production through credits, training and technical assistance to small farmers. The Government maintains a network of "economy dining halls" and local charities operate under official auspices. The Government operates hospitals, maternity homes, and a mental asylum. Revision of basic social security and health insurance legislation is currently under study. The Government has constructed extensive urban housing for working class families. Primary education is obligatory between the ages of 7 and 14. The Government maintains over 4,700 primary schools attended by about 1 million youth. Reform of the primary education system is currently under study. The above programs are subject to budgetary restraints which limit actual benefits.

Corruption in the Dominican Republic is traditional and does not appear to have diminished in recent times. Political favoritism in Government hiring and granting of contracts probably results in the diversion of some resources from the poor.

3. Respect for Civil and Political Liberties Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Freedom of thought, speech and religion are respected. The Dominican newspapers are categorized by the Inter-American Press Association (IAPA) as among the freest in Latin America. The IAPA held its 33rd annual assembly in Santo Domingo in October 1977. No prior consent is required for meetings of political parties and labor groups. Outdoor public rallies require official permits. Some rural political meetings of opposition parties have experienced harassment. Four trade union confederations exist, as well as numerous unaffiliated unions. Labor organizations carry out organizational activities relatively freely, but they are inhibited by a labor code, dating from Trujillo rule, giving wide latitude to management. The latter is usually favored by the Government in disputes with labor.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Movement within the country and to most countries overseas is unrestricted. Travel to Communist countries is permitted only with official authorization. During 1977, however, passports were returned to several hundred individuals who travelled to Communist countries without authorization. Also, prohibitions against the return of almost 300 exiles have been lifted by decree. There is freedom to emigrate.

c. Freedom to Participate in the Political Process

Dominican law sets forth procedures for free elections. Elections in 1966 and 1970 were generally recognized as free, although intimidation of some opposition members did occur in the latter campaign. The 1974 elections were marred by some incidents of military intervention

on behalf of the President's re-election by harassment of opposition political parties. As a result, the opposition withdrew its candidates. In October 1977 the leading opposition party complained that elements of the Dominican military were again hindering some of its activities and exerting pressure for the re-election of President Balaguer in the May 1978 general elections. The President issued a statement that the Dominican Armed Forces had received strict orders to remain neutral, and military personnel had been sanctioned for disobeying these orders.

At present 14 political parties are officially recognized. Pro-Trujillo parties are illegal, but the Dominican Communist Party was legalized by legislation enacted in November 1977.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Amnesty International Report 1977 was critical of human rights practices in the Dominican Republic. The Report also stated that President Balaguer wrote to the Secretary General of Amnesty International in April 1977 admitting that "Dominican justice, like that of most of our countries, suffers from many faults" The President's letter asserted that adequate facilities for prisoner re-education were lacking. He also admitted that there are sometimes regrettable delays in the hearing of judicial trials," but he claimed that these were not due to reasons of a political nature but rather to the court work load and "to the fact that the public authorities find it impossible to stop spurious interests which often interfere in the healthy administration of justice."

In April 1977, President Balaguer agreed to a visit proposed by Amnesty International. Subsequently, however, he suggested that the visit be conducted by a third-party observer. Thus far such a visit has not taken place.

The Dominican Republic signed the American Convention on Human Rights in September 1977.

ECUADOR

Ecuador's current regime took power in a coup on January 11, 1976. The chiefs of Ecuador's three military services constitute the Supreme Council of Government. The National Assembly is inactive. The court system is fully operative. Since 1970 the country has been ruled by decree. Ecuador is on the path of return to constitutional, democratic rule.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

No reports alleging torture in Ecuador have been received.

b. Cruel, Inhuman or Degrading Treatment or Punishment

No reports have been received regarding cruel, inhuman or degrading treatment or punishment in Ecuador.

c. Arbitrary Arrest or Imprisonment

There have been arbitrary arrests and imprisonment of persons alleged to have engaged in anti-government plotting or illegal strike activity.

The most recent serious case involved arrests following the drowning of at least 25 striking workers at the Aztra sugar mill on October 18, 1977. The deaths occurred during police action to remove strikers from the mill, apparently as a stampeding crowd spilled into waters nearby. The Government asserted that the strike was illegal, and arrested labor leaders, including Jose Chavez, President of the Ecuadorean Confederation of Free Labor Organizations (CEOSL), and Luis Cordero, President of the CEOSL-affiliated sugar workers. Chavez was said to be directly linked with the strike. The others apparently did nothing more than criticize the Government in strong terms for its handling of the strike. A number of those detained were released during the subsequent two months. Chavez was released after 36 days. Cordero and lower-level prisoners were still being held at the close of 1977.

No formal charges have been announced in any of these cases.

d. Denial of Fair Public Trial

The great majority of Ecuadoreans have access to fair public trial. However, there are sometimes exceptions to this rule, particularly when the Government feels strong measures are necessary to preserve public order.

On May 18, 1977, the National Teachers' Union began an indefinite strike for higher wages. Concurrently, the three national labor confederations carried out a one-day national strike. The Government declared the strikes illegal, and issued arrest orders for the leaders. Those finally condemned to jail (including the President of the Teachers' Union) were sentenced by the police official who had issued the arrest orders, in accordance with a decree-law promulgated just prior to the strikes. About five people reportedly have been sentenced and are currently serving terms of between two and five years. This procedure of arrest and sentencing applies only to cases of illegal strike activity.

e. Invasion of the Home

No cases of invasion of homes have been reported.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Government has taken steps to control the prices of foodstuffs, to construct considerable quantities of low-cost housing, to expand popular participation in the Social Security Institute (includes health care), and to increase the number of teachers and classrooms. Education receives a fixed percentage of petroleum revenues. Gains in these areas are limited because of scarce resources. An agrarian reform program has not been carried through.

3. Respect for Civil and Political Liberties,
Including:

a. Freedom of Thought, Speech, Press, Religion,
and Assembly

The Ecuadorean Government generally respects these liberties. There is no established religion. Foreign missionaries operate freely. Street demonstrations require prior government consent, which is usually forthcoming for nonpolitical acts. Consent is withheld only for events that have a potential for public disorder. People who challenge those guidelines have been dealt with stiffly by the police, but there are no reports of severe or brutal treatment. There are no restrictions on indoor meetings. Most political rallies are held in large buildings such as theaters and sports arenas.

As a result of the National Teacher's strike described in 1d above, the Government formally abolished the National Teachers' Union (UNE) on May 30, 1977. The abolition has been criticized as a denial of the internationally recognized right to form and join trade unions. The Government argues that its action was a justified response to the Union's refusal to halt an illegal strike action. Labor leaders have complained of a hard line by the Ministries of Labor and Government since the May 1977 strikes.

Labor legislation is generally liberal, often favoring workers over employers (except for the decree-law on strikes discussed in Section 1d). Nevertheless, union leaders assert that this legislation has not prevented some arbitrary, anti-labor measures.

b. Freedom of Movement within the Country, Foreign
Travel and Emigration

There are no formal internal or external travel restrictions. Ecuadoreans may emigrate freely. In May 1977, the Government confiscated the passport of the President of the Ecuadorean Confederation of Free Labor Organizations, thereby preventing his planned

trip to the International Labor Organization in Geneva. However, this case seems to have been atypical.

c. Freedom to Participate in the Political Process

Ecuador is currently governed by a military junta. There have been no presidential or congressional elections since 1968. Legislation is by decree. The Government is currently carrying out a step-by-step plan to deliver power to a civilian, popularly-elected administration during 1978. On January 15, a national plebiscite on two proposed constitutions was held, with 94 percent voter participation.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Ecuadorean Government has been an active supporter of human rights in international organizations. On October 21, 1977, the Government ratified the American Convention on Human Rights.

There were no UN or OAS investigations of alleged violations of human rights in Ecuador during 1977. At the Executive Board Meeting of the International Confederation of Free Trade Unions (ICFTU) held in November, the Board criticized the Government of Ecuador for trade union repression, and authorized the ICFTU's General Secretary to send an ICFTU mission to Ecuador. The mission had not gone to Ecuador by the end of the year.

The Amnesty International Report 1977 stated that two 1976 political group arrests, followed by short-term imprisonment, were of concern to Amnesty International (AI). AI expressed concern about both those group arrests, although no individual cases were taken up, and although "None of the detainees were held for more than a few days and there were no allegations of maltreatment."

The Amnesty International Report 1977 noted Amnesty's Secretary General had thanked the Government for its support of the resolution on torture passed by the U.N. General Assembly in December 1976.

EL SALVADOR

Since the end of World War II, El Salvador's politics have been dominated by the military within a context of political parties and elections. Executive power is vested in the President and a Council of Ministers appointed by the President. The present government is headed by General Carlos Humberto Romero who assumed office on July 1, 1977, after a controversial election. Reactions to the election included demonstrations alleging fraud, mass arrests, some killings, exile of political opposition leaders, and imposition of a state of siege. The latter resulted in the temporary suspension of the Constitutional rights of freedom of assembly, movement, speech and privacy of correspondence. The state of siege lasted until the Romero government took office. There are increasing pressures from dissatisfied sectors of Salvadoran society demanding socio-economic reforms. More conservative sectors oppose change. There has also been an upsurge of terrorism by extremists of both left and right. In late 1977 the Government took a number of socio-economic and security measures. The Property Tax Law on Rural Land includes provisions for improving the lot of low-income peasants. A Law for the Defense and Guarantee of Public Order (see Section 3) sets forth stricter penalties and more sweeping legal procedures for limiting some political activities.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture has occurred under previous administrations. Allegations have been made that individuals still supposedly being held as political prisoners have been tortured but, to date, there is no available hard evidence of use of torture at the direction of the Romero administration. More information in this regard is expected from the visit in January 1978 by the Inter-American Human Rights Commission. There has been some credible testimony of National Guard torture of suspected subversives and terrorists during 1977. It is unclear whether these alleged violations were acquiesced in by the central government or carried out independently by subordinate authorities. Apparently no indictments have been brought as a result of these alleged abuses.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Such treatment or punishment is forbidden by Salvadoran law. However, some abuses have occurred, particularly in rural areas. Elements of the security forces, a civilian para-military organization "Orden" and rural police have been charged by opposition members with responsibility for disappearances and killings in some rural communities. No disciplinary action appears to have been taken against these groups.

Early in 1977, under the previous Molina administration, an undisclosed number of persons were killed following demonstrations protesting the election.

During 1977 terrorism from both the left and the right, as well as from criminal groups, resulted in the kidnapping and assassination of several prominent personages. These incidents included terrorist murders of the country's Foreign Minister, National University Rector, a former President, and two Catholic priests. The Romero administration has refrained from using terror as an excuse for reimposition of the state of siege even though it is under strong pressure from some influential sectors to repress dissent harshly.

c. Arbitrary Arrest or Imprisonment

During 1977 there were a number of arrests with political overtones and without prompt indictment and trial. The Government considered those arrested to be involved in terrorist or subversive activities. Most of the arrests took place during the Molina administration. Some of those detained have been neither acknowledged as prisoners by the Government nor otherwise accounted for. Seemingly reliable reports continue that not all detainees under the state of siege have been turned over to civilian courts.

During 1977 there was some mistreatment of detained American citizens. The United States Government found it necessary also to protest the failure of Salvadoran authorities to comply with the provisions of the Vienna Convention of Consular Relations with regard to notification or right of access to consular agents. The Romero Government has given assurances of compliance with the Convention.

d. Denial of Fair Public Trial

The Salvadoran judicial system is believed to operate on a fairly independent basis--and to provide fair public trials--in cases which do not involve members of the wealthiest class or persons allegedly involved in subversive activities.

Detention of political prisoners without charge or trial--rather than the fairness of trials--has been the focus of allegations of human rights violations.

e. Invasion of the Home

House to house searches have been regular practices of previous governments. President Romero has refrained from a government policy of unwarranted search and seizure.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Coupled with a highly skewed income (a small minority controlling most of the country's wealth), overpopulation is perhaps El Salvador's most serious problem. The Government has formulated one of the most progressive national family planning policies within the hemisphere. The drive to provide a wide range of contraceptive services to the public receives priority attention of the Health Ministry.

Health care has received strong financial support from the Government. New regional hospitals, financed by the Inter-American Development Bank, are under construction. In addition, the Government plans to begin new initiatives to combat malaria incidence and promote better sanitation in rural areas.

Agricultural policy has emphasized increased production of basic foodstuffs which most directly benefit the rural and urban poor. The preliminary five year plan for 1978-82, endorsed by the Romero administration, continues efforts designed to reach self-sufficiency

in basic grains and also seeks to increase employment in the agricultural sector. Large landholdings continue in the hands of a very small group of families. Concentration of much land into large holdings, along with rural oversupply of labor, has produced extremely low rural incomes. An ambitious program to redistribute large tracts of valuable agricultural land to landless peasants was abandoned in 1976. A less extensive land reform program, which is not expected to break up the more productive of the large landholdings, is now reportedly being drafted.

Considerable progress has been made in constructing and equipping new schools. The new government has indicated that its top priorities over the next five years will be in improving education in the rural areas and devoting more attention to the provision of vocational education to both the school age population and out-of-school youths and adults. Twenty percent of the national budget is allocated to education.

The Government is extensively subsidizing the construction of public housing and minimum shelter facilities.

The Salvadoran tax system is generally considered regressive. However, a property tax law on rural land devoted to agriculture and/or pastoral use was passed in late 1977. Among its objectives, the law aims at improving the welfare of lowest income sectors, especially the rural poor, and stimulating more efficient land utilization.

Corruption involving public funds is not notorious in El Salvador, but it does occur and presumably diverts resources from the poor.

3. Respect for Civil and Political Liberties, Including
 - a. Freedom of Thought, Speech, Press, Religion, and Assembly

The state of siege which was lifted on July 1, 1977 restricted civil and political liberties guaranteed under the Constitution. Freedom of religion is possibly being inhibited in the countryside as a result of official and even some public belief that there are priests who

exhort the people to what are considered to be illegal acts. Under the Constitution, clergymen are prohibited from including in sermons political propaganda or criticism of the laws, the Government or public officials. There is some reason to believe that the government security forces may continue to open and censor mail, which is constitutionally authorized only during a state of siege. In times of tension, the otherwise generally respected rights of peaceable assembly have been restricted. The Romero government has allowed large demonstrations by worker groups demanding increased wages. Shooting occurred in one such demonstration, and several persons were killed.

The Law for the Defense and Guarantee of Public Order, enacted November 25, 1977, authorizes prison sentences for persons guilty of disturbing any form of public order and for those who profess and propagandize political "doctrines contrary to democracy." Its sweeping nature has been criticized as jeopardizing civil and political liberties.

There is presently no media censorship on political grounds, but press organs often practice self-censorship. With the lifting of the state of siege, one closed newspaper has been permitted to reopen and speak out critically against the Government.

Labor organization is permitted, but the Government has often attempted to influence the unions and make them dependent on official approval, especially in rural areas. Some labor leaders, particularly of such nationwide unions as the teachers union (ANDES), and some peasant organizations, have been harassed and a few detained.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

There is freedom of movement within the country (although sometimes limited during periods of political tension) as well as freedom to travel abroad, and to emigrate.

Exile has been used for political purposes, but the present regime has stated that all of the few remaining political exiles may return to the country.

c. Freedom to Participate in the Political Process

In March 1976, the opposition parties boycotted the legislative elections, charging the Central Electoral Commission with administrative improprieties. As a result, all deputies in the Legislative Assembly are of the government party. The last presidential elections, in early 1977, were marked by evidence of fraud.

At the close of 1977 there seemed to be greater freedom to participate in the political process than earlier in the year. The Government has expressed its support for open municipal elections in March, although opposition parties which are legally authorized and operate actively have announced a boycott.

4. Government Attitude and Record Regarding International and non-Governmental Investigation of Alleged Violations of Human Rights

In the fall of 1977, the Romero administration took the initiative in formally inviting the Inter-American Human Rights Commission to visit El Salvador and to conduct an investigation. The Commission came in January 1978. Prior to that time the Government of El Salvador had not seemed disposed toward scrutiny by external groups.

GUATEMALA

The high level of personal and political violence which afflicted Guatemala from 1966 to mid-1974 has been reduced markedly during the Laugerud administration (1974-78). The latter is the first in recent Guatemalan history to have gone more than three-fourths of its term without imposition of a state of siege. Kidnapping and assassination of government officials by leftist terrorists continue, however, as do politically motivated murders by rightist and leftist groups. Despite general restraint on the part of the Government in its response, violations of human rights sometimes still occur, particularly in the rural guerrilla areas.

Political violence traditionally increases during presidential electoral periods, and this trend was noted to some extent in the latter months of 1977 (elections are scheduled for March 1978). President Laugerud has called in the leaders of the political parties to exhort them to discourage partisan violence during the campaign. His efforts may have helped to limit such violence.

The Government of Guatemala is now in the process of ratifying the Inter-American Convention on Human Rights and has supported creation of the office of UN High Commissioner for Human Rights.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture of alleged subversives has occurred with frequency in Guatemalan history. During 1966-72, torture, summary executions, and death-squad activities were characteristic of bloody clashes between security forces and leftist guerrillas.

After the substantial defeat of the insurgent movement in the early 1970's, and particularly since the Laugerud administration has taken office, such incidents have decreased and there have been few recent allegations of torture. The Amnesty International Report 1977 acknowledged a "considerable drop in urban areas in the political violence of the death squads - torture, killings and simple

'disappearances' after abduction by governmental or para-governmental armed groups - since January 1977."

b. Cruel, Inhuman or Degrading Treatment or Punishment

Such treatment and punishment are legally prohibited. But abuses occur, particularly during interrogations of those suspected of subversive activity or actual terrorism. The Amnesty International Report of 1977 asserts that "the poor rural population continues to suffer abuse both from official and semi-official armed groups." Reports of such abuses have declined in recent years. Acts of political and personal violence attributed to both private parties and local officials still occur in rural areas and often provoke little response from the central government.

c. Arbitrary Arrest or Imprisonment

Arrest and short-term detention, allegedly without due process, occurred during 1977 in connection with persons suspected of subversive activities, but to a lesser extent than in most prior years. There were no reported cases of lengthy detention without indictment or trial in 1977.

d. Denial of Fair Public Trial

Most of those accused of subversion have been released after short periods of detention and interrogation. Those brought to trial, like persons accused of non-political crimes, generally receive fair public trials. However, in guerrilla areas, there continue to be reports of disappearances.

e. Invasion of the Home

Invasions of the home have occurred particularly in rural areas in the course of anti-terrorist sweeps by security forces.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Significant gains in living standards and middle class

expansion have been made over the last 20 years, particularly among urban industrial and service workers. But severe social and economic inequalities still exist. Tax collections as a percentage of the GNP are the second lowest in the Hemisphere. Proximity to Guatemala City or to seats of local government largely determines availability of the most important social services.

The Government is attempting to increase investments in rural areas, which are predominantly very poor, and has solicited loans from international donors for expansion of rural health services, primary and secondary education facilities, agricultural credit, and support of cooperatives. The Government's handling of problems created by the 1976 earthquake has been a major success. With the assistance of the US and other donor countries, the Guatemalan Government has worked effectively to restore shelter and basic social services to the hardest-hit highland areas.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

There is freedom of speech, press, and religion. Newspapers criticize government officials and policies. Large political demonstrations and parades are regulated by the Ministry of Interior, but this is not known to have interfered with freedom of assembly. Labor unions are free under law to organize, but there are few strong, independent unions.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There is no practice of restricting international or national travel, or emigration, except that travel to and from some rural guerrilla areas has at times been restricted.

c. Freedom to Participate in the Political Process

For the past two decades Guatemalan politics have been dominated by the military within a constitutional framework providing for regular elections and civilian control below the top level. Some opposition parties are permitted to function. The 1974 election process was tainted by accusations of fraud. The incumbent president has publicly promised a fair election in March 1978. Candidates for Congress and president may only be presented by duly inscribed political parties (of which there are four at present), and inscription of political parties has traditionally been an arduous and protracted process. The electoral registry is headed by a government appointee. Despite a long waiting list, no new parties have been inscribed in recent years. The Communist Party is illegal.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

No reports have been received of any requests made to the Government of Guatemala for human rights investigations by external groups. The American Convention on Human Rights has gone to the Guatemalan Congress for ratification. The Guatemalan Government has supported the creation of a post of UN High Commissioner for Human Rights.

GUYANA

Guyana is a democratic country with a parliamentary system on the British model. Since the early 1960s Guyana, led by Prime Minister Forbes Burnham, has followed an avowedly socialist path toward political and social development. The country and its present leaders remain rooted in the Anglo-Saxon tradition of respect for individual rights and of observance of the principles of law. Elections are held every five years and are contested by various political parties. The next elections are scheduled for the fall of 1978.

The racial composition of the population (53% East Indian and 42% Black) has created strains within the Guyanese political and social structure. However, the Government has voiced its full support for the protection of human rights and has condemned violations. Reports of discrimination against the East Indian population have surfaced in recent years, but so far there has been no substantial evidence to support them.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There is no evidence that torture has been used.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There are no reports of cruel, inhuman or degrading treatment or punishment.

c. Arbitrary Arrest or Imprisonment

There are no indications of arbitrary arrest or imprisonment.

d. Denial of Fair Public Trial

There are no reports of denial of fair public trial. However, Amnesty International in November 1977 sent to Guyana a representative to attend the trial of a Guyanese accused of killing a policeman. The Opposition

Party, the People's Progressive Party, charged that the trial was politically inspired and that it amounted to political persecution against one of its members. In December 1977, after a third trial, the accused was found not guilty by the jury and released.

e. Invasion of the Home

There are few reports of invasion of the home. Some homes have been searched for contraband without a warrant.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Government is conscious of the basic needs of its population and is striving to meet them within the limits of the resources available. Some East Indian Guyanese claim that the present Black leadership of Guyana gives preference to the Black population in such areas as low cost housing and Government jobs. However, East Indian rice farmers have been principal beneficiaries of the Government's agricultural policies.

There is little evidence to substantiate reports of corruption to the benefit of the nation's political rulers and the Black minority.

3. Respect for Civil and Political Liberties, Including:
a. Freedom of Thought, Speech, Press, Religion, and Assembly

The Government of Guyana has partial control of the media. It owns one radio station (there is no TV in Guyana) and two of the three daily newspapers and one of two leading weeklies. The Government owned media reflect Government policies faithfully. The opposition papers--one daily published by the Opposition Party, the Peoples Progressive Party, and the weekly Catholic Standard by the Catholic church -- engage in uninhibited and consistent criticism of the

Government. During 1975 and 1976 these newspapers occasionally were hampered by Government restraints on import of newsprint and equipment, but in 1977 there were no indications that the Government prevented them from obtaining supplies. At an October 1977 meeting of the Inter-American Press Association, several speakers stated that there is "grave danger to the freedom of the press in Guyana" because of Government interference. This allegation was strongly denied by the Government.

There are no reports of interference in the right of assembly or religious affiliation. During 1976 the Government assumed financial and management responsibility for all educational institutions in Guyana, including those run by the various churches.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

In Guyana there is no restriction on travel within or without the country nor is there any obstacle to emigration. The only exception applies to certain disputed border areas over which Venezuela and Surinam make claims.

c. Freedom to Participate in the Political Process

In the general elections of 1968 and 1973 charges of fraud and rigging were widespread. Although those making these charges have been unable to substantiate their allegations in court, it is widely believed that fraud and rigging were practiced. The Opposition Party alleges publicly that because of this fraud and rigging it is inadequately represented in the Parliament. The Government rejects these allegations.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Government of Guyana permitted a November, 1977 visit by an Amnesty International representative, as noted under 1d. Guyana is not a member of the OAS and the Inter-American Human Rights Commission has not visited Guyana.

HAITI

Haiti is the poorest country in the western hemisphere. It has a long tradition of authoritarian rule. Human rights violations were widespread during the regime of the late Francois Duvalier in the 1960's. The present Government is led by President-for-Life Jean-Claude Duvalier. Organized political opposition is not permitted. However, in 1977 the Government released a large number of political prisoners. The Government also adhered to the American Convention on Human Rights, and declared its intention to respect legal norms in the treatment of all future security offenders.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Incidents of severe brutal treatment, verging on torture, have occurred in Haitian prisons in the recent past (see 1b below), but torture does not appear to be practiced or condoned at present.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Brutality as opposed to deliberate torture has been used both as punishment for minor criminal infractions to extract confessions and to impose discipline in prison. This practice has been a part of the Haitian penal tradition. Several exile opponents of the Government released in September 1977 claim that torture and deplorable prison conditions continue unabated. Most prisoners released in 1977, however, report less frequent use of brutality. Stricter control over prison guards' conduct has apparently been instituted.

Sanitary conditions in prisons remain deficient but are being improved. The Fort Dimanche prison, which is reportedly being replaced by a modern facility, had a very high rate of mortality. The new prison is reported to have adequate cells, a hospital, and a visitor's room.

c. Arbitrary Arrest or Imprisonment

During the 1960s arbitrary arrest and imprisonment were practiced on a large scale. Since the early 1970s President Jean-Claude Duvalier has proclaimed a policy of

"national reconciliation" between the present Government and its opponents. Arrests for security or political reasons have declined substantially. Following the release of 290 prisoners in three amnesties in December 1976 and February and September 1977, the Government declared there were no longer any political prisoners. However, a few of those released in September 1977 claim there are at least eight remaining. After the December 1976 releases Amnesty International expressed some doubt as to the authenticity of the names of people the Haitian Government claimed it had released, their status as political prisoners, and whether they had been actually freed. Subsequently, all 105 of the persons freed in September 1977 were presented to the press and representatives of the diplomatic corps at the time of their release.

d. Denial of Fair Public Trial

Civil cases are handled publicly under formal court procedures, although the case backlog is large. Criminal assizes open to the public resumed in 1975 after a lapse of many years and have been held regularly since then. When public trials are held, defendants can be represented by counsel and the proceedings are usually fair. The criminal trials of 1976 and 1977 resulted in a number of acquittals. News media cover such trials freely. A "State Security Tribunal" has been established with the stated purpose of ensuring trials for all future security offenders.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Since 1971 the Government has made increasing efforts to improve the condition of life in Haiti, focusing on agriculture, public health, infrastructure, and light industry. Among the policies and measures undertaken in response to the needs of the poor are: the preparation of a second five year development plan (1976-1981); a 134% increase in the Government's development budget from 1971 to 1975; better mobilization of resources, e.g., by channeling 50% of the profits from the Tobacco and Match monopoly, which are not included in the general revenue of the Government for accounting purposes, to

development purposes; increased government investment in the agricultural sector; a gradual modification of the tax structure to shift taxes from domestically produced commodities toward imports of luxury items and toward non-essential foods, income, and property; and a greater commitment to family planning and to the development of a rural health delivery system designed to provide basic preventive medical services to isolated rural areas.

However, implementation remains hampered by weak administrative structures and by such historical constraints as: a highly fragmented land tenure system conducive to subsistence agriculture; extremely high population density on limited arable land; a rigid class structure; a psychological schism between the urban and rural sectors; a high level of illiteracy (about 80%); the difficulty of devising a rural education system adaptable to the needs of the Creole-speaking majority; and the absence of any significant mineral wealth to fund development programs. Progress toward effective improvement the condition of the rural majority remains painfully slow. The differential between the living standards of rural Haitians and those in the urban Port-au-Prince area has widened in the last five years as real incomes in the capital have increased.

The country is very poor and the Government's resources very limited. Government employees have received only one salary raise in the last 19 years (in October 1977). For these reasons and others, corruption has been endemic, but the Government is beginning to address itself to the problem of eradicating corruption; for example, in June 1977 President Duvalier dismissed over 40 officials in various ministries on charges of corruption. As a consequence of these efforts resources are gradually reaching the people who most need help.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Roman Catholicism is the established religion in Haiti, but freedom to worship is not restricted in any way.

Freedom of expression has been growing but there are still government restrictions on freedom of the press.

In the past two years the Haitian news media have been increasingly outspoken in demanding better performance from government agencies. In late 1977, however, this trend was interrupted after members of the paramilitary militia assaulted and beat up the publisher of an independent weekly which had accused the militia of abuses. This paper has since suspended publication, and another small weekly was refused permission to publish.

Haitians are free to join non-political associations. Opposition political parties and political organizations are forbidden.

The few labor unions which exist in Haiti have been permitted little freedom of maneuver. Several strikes in late 1977, however, may presage greater labor activity. In most cases, the workers won the demands for which they were striking. Labor disputes are expected to be settled through the arbitration procedures of the Ministry of Social Affairs.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Freedom of movement in Haiti is not restricted except for security reasons near border areas. There are no controls on foreign travel for most Haitians, although the Government denies exit and re-entry for a small number of individuals. In September 1977 this number was further reduced and application procedures eased for all travelers. The Government has recently exiled certain individuals it considers serious threats to its security.

c. Freedom to Participate in the Political Process

Participation in the political process is severely restricted. Haiti is a one-party authoritarian state, and the President has tenure for life. Elections for membership in the unicameral Legislative Chamber are held every six years under universal suffrage. Since the late 1950s all members of the Chamber have belonged to the Duvalier political movement.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

In September 1977 the Haitian Government adhered to the American Convention on Human Rights, and it has taken a more forthcoming attitude toward international human rights investigations. For example, the Government has publicly indicated that it intends to invite the Inter-American Human Rights Commission to visit the country and that it would respond to an inquiry from the Commission regarding a political prisoner believed to have died in prison. The Government has also established legal procedures to account for prisoners who have died.

HONDURAS

Honduras has been ruled by two successive military governments since 1972. The legislature has been suspended since then. Freedoms of the press, religion, and emigration are respected. During 1977 there were almost no reports alleging violations of the integrity of the person, such as arbitrary arrest or imprisonment, invasion of the home, inhuman punishment, or violations of the independence of the judiciary. There is no known group engaged in terrorism or insurgency.

The final political arbiter in Honduras is the Superior Defense Council (SDC). Interest groups such as trade unions, peasant federations, and other private sector organizations have a significant impact on government policy formulation. The Chief of State has fostered and institutionalized private sector participation through the device of advisory commissions on various subjects. One of the most significant of such commissions, representing a spectrum of Honduran groups, drafted an Electoral and Political Organization Law which was reviewed by the SDC and approved by the Cabinet in December 1977. The law provides for the return to electoral government in 1979, with participation of various political parties, registration procedures to avoid fraud, and other characteristics of a pluralistic democracy. The present Government has also embarked since 1975 on an ambitious development plan emphasizing social services in rural areas.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

No reports of torture have been received in recent years.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There have been instances of mistreatment by local police, usually confined to pushing and shoving which may be the result of poor training and individual excesses. There have been some incidents of harassment of social workers, including priests. There is

no indication that any of the above treatment is condoned by the Government.

In 1975, peasant unrest and occupation of unused, but cultivable land in remote, rugged, and isolated Olancho Province led to confrontation between landowners and peasants, resulting in the death of a number of peasant leaders and others. The landowners were apparently supported by some military officers in the area although there is no indication that the latter were acting on government orders. Incidents involving abuse of peasants, particularly in the more remote areas, may have occurred in connection with eviction of squatters from private land. However, the Honduran military and police have generally avoided undue force in removing squatters. No other cases of serious mistreatment of peasants or others are known. Exile is not employed as a punishment.

c. Arbitrary Arrest or Imprisonment

Although some campesino leaders were briefly held following the 1975 Olancho incident, they were soon released. On the other hand, several land owners and military officers were arrested and are still in prison in Tegucigalpa pending announcement of the court's verdict in their trial. No reports of arbitrary arrest or imprisonment were received during 1977.

d. Denial of Fair Public Trial

Trials are generally considered fair. The Honduran judiciary is independent of the executive branch. Honduran law provides for arraignment shortly after arrest. Any delays which may occur appear to be due to administrative inefficiency, not deliberate violation of the law. Just before Christmas 1977, the Government declared a pardon for common criminals which will fully or partially commute sentences or pretrial detention after individual review of each case. This pardon was apparently based in part on the Government's recognition that there are often inordinately long delays because the court system is overburdened. Access to legal process for redress of grievances varies according to the socio-economic status of the individual, particularly in rural areas. Trials are held in

judges' chambers with the parties to the trial and their attorneys present.

e. Invasion of the Home

No reports of invasions of the home have been received in recent years.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The objectives of the Honduran five-year Development Plan (1975-79) are to integrate the rural poor into the national economy and to increase social services in rural areas. The Development Plan has moved forward in agrarian reform and land distribution. There is a national program for expanding basic health care and family planning services in rural areas through construction of 500 health posts by 1980 and training paramedics to staff them. The Government also has increased its budget for primary school teachers and has financed the construction, on a pilot basis, of low-cost rural housing.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Freedom of the press and of religion are respected in Honduras. Political parties cannot hold public demonstrations but are allowed to hold publicized internal elections and to publish declarations which are often critical of government policies. Otherwise freedom of speech and assembly are respected.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There is freedom of movement within Honduras. Citizens are also free to travel and emigrate except for restrictions at some border crossings because of the 1969 border war with El Salvador.

c. Freedom to Participate in the Political Process

Since a coup in 1972, the military has exercised power and the legislature has been suspended. Currently, a number of advisory councils to the Chief of State are functioning, with the participation of various political groups.

One of the main councils is preparing for elections which have been promised for 1979. A new electoral law providing for participation of some small parties as well as the two major parties was promulgated in December 1977. Political parties have already begun to revive and articulate their platforms. Labor unions are free to organize and engage in concerted activity to achieve economic objectives. They are particularly strong and active in the northern banana plantation regions.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

In May 1976, an Amnesty International investigative mission to Honduras "enjoyed the full cooperation of the government" according to Amnesty. No other requests for investigation have been reported. Honduras has ratified the American Convention on Human Rights.

JAMAICA

Jamaica is a practicing parliamentary democracy with political institutions and traditions rooted in English Common Law. In the December 1976 national elections, the Government of Prime Minister Manley returned to office with an overwhelming majority in Parliament. Jamaica's domestic human rights record reflects not simply its heritage but a present commitment to an open and free society. Manley has repeatedly denounced violations of human rights abroad. He has signed the American Convention on Human Rights and urged his Caribbean colleagues to do likewise.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There have been no reports alleging torture by the Jamaican authorities.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There have been a few unconfirmed charges of cruel or degrading treatment or punishment. Conditions within Jamaican prisons are relatively good.

c. Arbitrary Arrest or Imprisonment

An increase in violent crime in 1976 prompted the Prime Minister, with Parliament's consent, to declare a state of emergency under which security authorities were granted broad powers of search and arrest. The state of emergency came to an end June 5, 1977. All persons detained under its authority have either been charged with crimes or released. Since that time there have been no charges of arbitrary arrest or imprisonment.

In an earlier effort to reduce violent crime, Parliament enacted the Gun Court Act (1974) which provided for in camera trials and indefinite detention. In 1975, these provisions were found unconstitutional by the Privy Council sitting in London and were replaced with mandatory life sentences for persons convicted of the illegal possession of firearms. The Government has recently announced its intention to "streamline" Gun Court procedures, but at present it is not clear what this will mean.

d. Denial of Fair Public Trial

Persons accused of crimes are given a fair public trial.

e. Invasion of the Home

The sanctity of the home appears to be respected.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Prime Minister Manley has publicly committed his Government to a policy designed to meet the needs of the poor by "finding jobs for the jobless, shelter for the homeless, and food for the hungry." The ability of the Government to implement this policy is limited because of the scarcity of available resources and severe economic problems.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Jamaicans are free to hold whatever views they wish and to express their beliefs openly. There is freedom of religion. A recent wave of violent crime prompted the Government, in November 1977, to adopt a series of measures designed to deal with that problem, including a ban on all public meetings. It is too early to judge the full impact of these measures. The press continues to represent the entire spectrum of political beliefs. A Government ban on the printing of inflammatory articles during the 1976 election campaign was ignored with impunity by one of Kingston's leading papers. Some supporters of Prime Minister Manley are calling for more reticence on the part of the press. There is concern among Jamaicans that the independence which characterizes the press may be limited in the electronic media where the Government is the sole owner of the radio and television networks.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Jamaicans are free to move within the country and to emigrate. However, currency control regulations which

allow a Jamaican traveler to carry no more than 50 U.S. dollars out of the country have cut back the number of citizens who can travel abroad.

c. Freedom to Participate in the Political Process

The political process is characterized by hotly contested free elections and lively Parliamentary debate. Labor unions play an important role in Jamaica's political life and operate freely.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

In October 1976, Amnesty International wrote Prime Minister Manley urging that persons detained under the state of emergency be tried or released. Mr. Manley has called attention to Jamaica's good human rights record and in April 1977, he invited Amnesty to visit Jamaica for a thorough human rights investigation. The Amnesty International Report 1977 stated all persons held under the state of emergency were released following its termination.

MEXICO

Since the close of the 1910 revolution, Mexico has experienced rapid economic and social development with political stability, though the high rate of economic growth has slowed since 1975. Although there are no sizable opposition parties, the dominant Revolutionary Institutional Party (PRI) is a channel for considerable political participation and debate.

The Constitution, laws and much of the political discourse consistently affirm or reflect social justice and equality as basic ideals of the Revolution. Individual rights are generally respected in practice. Human rights violations have occurred, as noted below, but are not condoned by the Government of Mexico as public policy. Also noted below are attempts by the Government to reduce such violations. Mexico has a good human rights record in international affairs, with traditional support for the persecuted of other countries and with frequent participation in multilateral approaches to human rights problems.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Government policy condemns the use of torture. However, cases of psychological and physical police abuse are reported. Such abuses are believed to occur most often in the period immediately following arrest, especially during interrogation. There are fewer instances of such reports under the current administration.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Conditions in many Mexican jails are poor due to overcrowding, primitive sanitary conditions and inadequate diet. The United States has conducted negotiations with Mexico with respect to jailed American citizens, most of whom have been held on drug charges. Repatriations under an agreement to transfer prisoners began in late 1977.

c. Arbitrary Arrest or Imprisonment

Mexican citizens are guaranteed the right of amparo, a Constitutional protection provided against "coercive and abusive acts of authority." Incidents of arbitrary arrest and imprisonment occur most frequently in the area of criminal law. Arbitrary arrests and detentions of suspected subversives have been charged on occasion by civil rights groups and by the press. While the evidence is not conclusive, it gives rise to a reasonable presumption that all legal guarantees may not have been fully applied in some of those cases. The Mexican Government has consistently denied reports that it holds political prisoners, and in 1977 invited Amnesty International to visit the country.

d. Denial of Fair Public Trial

Fair public trials are the norm. However, guarantees like those in the U.S. to protect the rights of prisoners during pre-arraignment interrogations are not part of the Mexican system. In addition, qualified legal counsel is expensive and often unobtainable for criminal cases. It is widely believed that suspected terrorists have occasionally been killed instead of being brought to trial, and there are occasional reports in the press of suspicious disappearances. But there is no conclusive evidence of such human rights violations.

e. Invasion of the Home

There are indications that Mexican police on a few occasions during 1977 have invaded the homes or business places of suspects without appropriate judicial orders.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Echeverria Administration (1970-1976) expanded government services affecting shelter, health care, education and food. The degree to which these increased services have reached the poorest 20% of the population is difficult to determine, but the needs of the poor are still great. Because of the

high population growth rate, the rapid increase in spending for social services has not ensured an increase in per capita benefits. Furthermore, the poorest segments of Mexico's population are those living in remote rural areas where social services are minimal. The Lopez Portillo Government's 1978 budget reflects concern about unemployment and skewed income distribution problems.

Although specific cases and magnitudes are difficult to document, the belief is widespread that corruption in Mexico diverts significant resources from the poor. The Lopez Portillo Government is prosecuting several cases of past government corruption and the President has spoken openly of the need to combat corruption as a serious social problem.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Freedom of speech and freedom of the press are respected in Mexico. Limited only by a media tradition of avoiding direct criticism of an incumbent President, Mexicans openly complain about the government and can read any author. A wide range of ideas is found in the media and intellectual circles. There are no restrictions on the practice of religion. There are restrictions on church ownership of property and political participation by the clergy is prohibited by the Constitution. There are few restrictions on freedom of assembly: for example, demonstrations and marches require permits, which normally are granted.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Mexican citizens may travel anywhere and emigrate freely.

c. Freedom to Participate in the Political Process

A notable feature of the electoral process is that the Mexican political system is dominated by one party. Within the ruling political party and the government, however, there is give and take, wide ideological variation, and serious concern for the economic and social needs of the country. Several minority parties are active. Individual citizens are free to join the PRI or the minority parties and to participate in their activities. Congress has recently approved proposals which facilitate the registration of additional parties and provide for broadened representation of opposition parties in the lower house.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

Mexico has a good international human rights record, and has traditionally welcomed the persecuted of other countries and supported multilateral approaches to human rights problems. Mexico has been generally cooperative with international human rights groups. Mexico's Foreign Secretary informed the 1977 OAS General Assembly that the Inter-American Human Rights Commission would be welcome to visit Mexico. Mexican officials also expressed willingness to receive representatives of Amnesty International.

The Amnesty International Report 1977 discussed human rights violations in Mexico at some length. Amnesty believes there may still be as many as 100 to 200 political prisoners there, though the Mexican Government has presented evidence that the prisoners in question are charged with or convicted of common crimes. The 1977 Report stated that some of the recommendations made by Amnesty in 1976 had been implemented by the Mexican authorities (e.g., the release of prisoners detained for long periods without trial), but that other problems, such as use of torture by federal and state personnel to extract confessions, still cause concern.

NICARAGUA

Since the Somoza family's rise to political dominance more than forty-two years ago through control of the National Guard and the Liberal Party, Nicaragua has been led by an authoritarian political regime. Stability has been maintained, the economy has expanded, the legally recognized opposition Conservative Party has been allowed to contest elections and participate in governmental bodies and other non-violent opposition groups have been allowed to function. However, the limited nature of the channels of dissent in a restricted political system, along with disparities in economic conditions, have provided a foundation for the growth of a radical opposition movement.

In December 1974, a leftist group, the National Sandinista Liberation Front (FSLN) carried out a dramatic terrorist attack aimed at the government. The Nicaraguan Government responded by imposing martial law and press censorship and by initiating a counter-insurgency campaign in rural areas. During that campaign, serious abuses of the rights of the person were committed by the National Guard. In early 1977, President Somoza ordered the National Guard commanders to avoid any abuses whatever. Since that time, allegations of new disappearances or killings by the National Guard have markedly diminished. On September 19, 1977, the state of siege was terminated, with elimination of press censorship. Subsequently, the political scene has been characterized by vehement and lively press and public debate, attacks by the FSLN on National Guard installations, and steps toward a "national dialogue" between Government and opposition groups. Planning for the dialogue was interrupted by the assassination of opposition leader Pedro Joaquin Chamorro in early January 1978.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Allegations of torture have been made by some persons detained by the National Guard both in remote rural areas and in jails in Managua. These charges have been prominently reported in local newspapers, both prior to and since the end of censorship. The Nicaraguan Bishops (in their pastoral letter of January 8, 1977) and Amnesty International charged the National Guard with engaging in torture of

detainees. Some of those charges specified the individual, the time and the place, and some seem to be credible. All referred to events in 1975 and 1976. There have been a few reports of torture or beating of detainees and prisoners in 1977.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Most charges of this nature referred to National Guard operations against the FSLN or purported supporters of the FSLN in the rural north prior to February 1977. Accusations included murder, rape and other mistreatment of peasants. The Capuchin order in Nicaragua, who were active in the remote area from which most reports of abuses came, listed 28 reported disappearances or killings during eight months in 1975, over 200 in 1976, and 55 during January 1977. No further reports by the Capuchins of deaths or disappearances have been received since February 1977. Since the end of martial law in September, the Capuchins reported the return of several persons who were previously recorded as missing. Additional allegations, from other sources, of Guard killings and abuses have been received, but most have been vague on details or lack corroboration. Overall, it appears that many of the allegations of cruel, inhuman, and degrading treatment during the course of National Guard operations against the FSLN were well founded, but others are more dubious. The number of reported abuses and their severity have decreased markedly over the past year. Nevertheless, isolated incidents still occur. For example, in December 1977, three U.S. nuns and a Spanish priest were beaten by National Guardsmen while the latter were breaking up a public gathering in Managua.

Prison conditions are generally poor. The degree of amenities available to those detained is dependent upon their ability to obtain material assistance from family or friends.

Prior to the lifting of the state of siege, prisoners were at times severely mistreated. Since then, some continued abuses have been reported, but their frequency has been substantially reduced.

c. Arbitrary Arrest or Imprisonment

Lengthy and sometimes incommunicado detention on security grounds without formal charge, which previously occurred appears to have been curtailed or terminated following the lifting of the state of siege. Nevertheless, persons suspected of FSLN collaboration, or other activities which the Government considers prejudicial to its interests, continue to be detained without formal charge for short periods of investigation. It is estimated there are between sixty and one hundred persons incarcerated as a result of charges of or convictions for violent revolutionary acts, other proscribed political activities, and politically motivated civil crimes. About half of these prisoners are held as a result of their conviction in the FSLN trials last February. Others are being held under indictment as a result of alleged FSLN activity, mainly participation in armed attacks on the National Guard. Still others have been sentenced to short periods of incarceration on conviction for such activities as distributing or posting "subversive" propaganda tracts. In addition to anti-regime political activities, some of these persons were also convicted of civil crimes such as murder, assault, robbery, kidnapping, etc.

d. Denial of Fair Public Trial

With removal of the state of siege, public trial by jury in open civilian court for all serious criminal offenses, has been reinstituted. It is not yet clear whether all persons detained on political charges receive public trial.

Under martial law, cases of alleged participation in the FSLN were remanded to a Military Investigative Court. This body, in turn, referred cases to a council of war for consideration and final sentencing. Both these proceedings were open to the public and defense attorneys were provided after indictment, though not before. Most of the several hundred people detained during the past two years for suspicion of security offenses were held for relatively short periods before being released. On February 25, 1977, the Nicaraguan Extraordinary Council of War handed down guilty verdicts on 110 prisoners (some

75 were tried in absentia) after more than 2 years of military court proceedings. Prison sentences ranged from the maximum legal term of 30 years to 18 months. In late March, the Military Board of Appeal reviewed most of these sentences and reduced 17 of them, making 10 persons eligible for release on the basis of time already served. Lawyers for other prisoners further appealed their sentences to the civilian Supreme Court, which ultimately confirmed the convictions.

e. Invasion of the Home

There have been some credible reports of the National Guard invading homes during 1977. These reported incidents were generally related to search operations for the FSLN or its supporters.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Government is engaged in an ambitious integrated rural development program to better the life of the rural poor, including changes in land tenure. A.I.D. efforts supporting the Government's program focused primarily on small farmer development programs; on solving problems in nutrition, health delivery and family planning; and on developing more relevant and less costly forms of education. The Government contributes 40-60% of the total project costs on A.I.D.-supported projects. In addition, the Government is still engaged in reconstructing Managua after the massive earthquake of December 1972. The present effort is largely directed at providing and upgrading housing, water, sewers and other essential services to low income families.

Corruption occurs in Nicaragua and has even been rumored to have affected the earthquake reconstruction program. Some have alleged involvement by members of the Somoza family as well as other prominent Nicaraguans. Corruption undoubtedly diverts some resources away from the poor. However, numerous investigations

of A.I.D.-assisted projects since 1973 by the GAO, Congressional and A.I.D. auditors and investigators have not substantiated those charges with regard to A.I.D. funds.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

The state of siege, with limited martial law and censorship, imposed in 1974, was removed on September 19, 1977. The primary impact of the state of siege on civil and political liberties was censorship of the media, occasional curfews in areas of suspected FSLN operations, and the requirement that political rallies be held indoors. These restrictions are no longer in force. However, there continues in force a radio and television code which is over ten years old and has been used by the Government to penalize those it judged to have been responsible for seditious or defamatory broadcasts.

Since the lifting of the state of siege, the press has again become free and vigorous, with the country's largest newspaper and its most important provincial newspaper often critical of the Somoza government. Both in the press and in public and private gatherings, many Nicaraguans exercise freedom of speech through criticism of the Government without apparent fear or negative consequence.

The labor movement, while weak, has four major elements: one controlled by the Government, one independent, one Social Christian, and one controlled by self-styled, Moscow-line communists. The American Institute for Free Labor Development has an active program with the independents. The building trades union, one of the largest in the country, is under Communist leadership, and the leaders are generally permitted to carry out openly their trade union activities. Nevertheless, some detentions of this group have occurred. As Amnesty International has reported (referring to the 1974-76 period) some trade union activists and members of legal political parties may have been repeatedly imprisoned on political grounds.

Freedom of religion is respected.

The right to peaceful assembly is guaranteed under the Constitution, but outdoor assemblies were prohibited under the recent state of siege. The Government has placed no impediment on recent outdoor rallies by opposition political groups.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Traditionally, persons who have fled the country to avoid investigation or proceedings for participation in revolutionary activities have eventually been permitted to return. There are only a few political exiles at present. Movement within the country is unrestricted with the exception of a requirement for permits to move from or into areas where there are active counter-insurgency operations. During the past two years, two members of the large group of resident foreign priests have been denied visa renewal or re-entry, apparently because in the eyes of the authorities they were involved in anti-governmental activities.

Emigration and foreign travel are unhindered except for the requirement that the traveler obtain an exit permit. A passport or exit permit may not be issued to persons against whom there is legal action pending.

c. Freedom to Participate in the Political Process

The only political parties which have established juridical recognition under the constitutional requirements in Nicaragua are the PLN (Liberals--the dominant, Somoza-backed group) and the PCN, the official opposition Conservative Party. The PCN, which is constitutionally guaranteed 40% representation in Congress plus seats on the Supreme Court, lower courts and electoral tribunals and in all ministries and autonomous agencies, has been generally free from political restrictions. There was, however, occasional censorship of its criticisms of the government under the recent state of siege. Other opposition political parties, factions, and movements which have not tried (or have been unsuccessful in their attempts) to obtain juridical recognition under the Constitutional provisions nonetheless exist, hold political rallies and circulate manifestos. The most active opposition movement, the Union of Democratic Liberation (UDEL), is a coalition of diverse groups including dissident Liberals and Conservatives, Social Christians, independents and

the small, illegal Communist Party. UDEL, under the former state of siege, encountered sporadic, low-level harassment. It has held frequent political rallies during the past year. Until his death, the movement's former president, Pedro Joaquin Chamorro, was able to publicize its activities in his newspaper, La Prensa, Nicaragua's largest circulation daily.

Opposition politicians generally feel strongly that the electoral process is fraudulent and manipulated by the regime. There have been substantial allegations of fraud and manipulation in connection with registration for the impending municipal elections in February 1978.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

Numerous local individuals and committees are active in investigating human rights violations and publicizing their findings. The committees, most of which were formed in early 1977, have had access to the press to air their concerns since the end of censorship. There have been outside investigations by Amnesty International in 1976 and the International Red Cross in 1976 and 1977 as well as recent internal investigations by the National Guard of allegations against it. But there has been no internal or outside investigation of the allegations against the National Guard for widespread killing of peasants during 1975 and 1976.

The Government of Nicaragua has not yet invited the Inter-American Human Rights Commission or other outside bodies to investigate allegations of human rights violations. The Government position has been that further outside investigations are unnecessary because the restitution of full civil liberties and freedom of the press assures access to local redress of any violations.

PANAMA

Panama is a republic governed under a Constitution promulgated in 1972. The present government came into power in 1968, following a coup by the National Guard. A transitory provision of the Constitution grants General Omar Torrijos broad powers as "Maximum Leader of the Panamanian Revolution" for a six-year period ending in October 1978. Organized opposition by political parties is not permitted but, as the 1978 elections approach, Panamanian politicians are optimistic about participating more actively in the country's policy and decision making process. Panama's human rights record has improved since the politically turbulent period of 1968-72. Progress was especially pronounced in 1977, as the Government took several important actions, including steps toward restoration of the right to trial in all cases. The Government strives to provide economic and social benefits to the poorest sectors of the population but these efforts have been impeded somewhat by the country's current economic difficulties.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture is not practiced systematically in Panama and is not a policy of the government. A group of Panamanian exiles living in the United States, the Panamanian Committee for Human Rights, has alleged that 151 people were "arrested and tortured" in 1976, but has not provided details. The Amnesty International Report 1977 and the Annual Review for 1976-1977 of the International League for Human Rights do not contain sections about Panama.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Physical conditions in Panamanian prisons are primitive. Occasional physical abuse of prisoners by the police (National Guard) occurs. Criminal punishments are limited to fines and/or prison terms. The maximum prison term is twenty years. There is no capital punishment.

c. Arbitrary Arrest or Imprisonment

Some Panamanians claim the occasional use of arrests as "object lessons"--a person is jailed over the weekend, with no charge, and on Monday morning is told that it was a mistake and released. Such cases are not common.

d. Denial of Fair Public Trial

In ordinary criminal cases, Panamanians have the benefit of a fair and public trial by an independent judiciary. However, in certain public order and state security cases the accused were interrogated, judged and sentenced, all without internationally recognized standards of due process. This was possible under an administrative, not judicial, procedure established under Decree Law 342 of 1969. The Government was sparing in the application of this decree, invoking it on four occasions in 1976 for the first time in several years. It was not applied in 1977.

On November 12, 1977, General Omar Torrijos publicly promised a new legal code which would overturn Decree Law 342 and restore the right of trial for all offenses. On December 2, 1977, the Government announced the rescission of this Decree.

e. Invasion of the Home

Under Article 25 of the Panamanian Constitution, the home is inviolable. There is no evidence that this provision is not generally respected.

2. Governmental Policies Relating to the Fulfillment of Vital Needs for Food, Shelter, Health Care and Education

By seeking to create new wealth through economic expansion policies, the Government has made efforts to improve the lot of poorer citizens in areas of the country which had previously been largely ignored. The Government is also extending and expanding educational benefits while undertaking a major revision of the educational system

to make it more responsive to Panama's development needs. Major efforts are being made to increase the number and quality of health facilities through the construction and organization of rural health centers, the training of paramedical personnel and the construction and development of sanitation facilities and potable water systems. In the agricultural and rural sectors principal emphasis is on the development of market towns, cooperatives, marketing facilities, and infrastructure. The Government is also financing a low-income housing program which has greatly exceeded original expectations both in quality and number of units constructed. Panama's efforts in these fields have been hampered by an economic recession influenced to a large degree by international economic factors. The result of all these programs is a noticeable, positive impact on the physical well-being of the population, although substantial income disparities remain.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Freedom of religion is respected in Panama.

Until early September 1977, freedom of assembly in Panama City and Colon was limited under Decree Law 341 of 1969; rallies or open meetings of those opposed to the Government were not permitted. However, students were allowed more leeway to criticize than was the general population, and on many occasions student demonstrators criticized government policies and officials sharply, but within limits. Enforcement of Decree Law 341 was relaxed in September to permit more public discussion of the Canal treaties prior to the plebiscite vote. Decree Law 341 was annulled on December 2, 1977.

The press and broadcast news media, while not subject to prior government censorship, practice self-censorship. The rules of self-censorship are defined in Decree Law 343 as well as in certain sections of Decree Law 342 of 1969 (now rescinded, see section 1.d). The rules are sufficiently vague that editors err on the conservative side. Despite the overall caution, on occasion the media (particularly radio and

television) discuss controversial issues. For example, a May 1977 television panel discussed human rights in Panama in unusually frank terms.

Beginning in July 1977, criticism of the proposed Canal treaties began to appear frequently in the press. For roughly a month prior to the October 23 plebiscite on the Canal treaties, Panama enjoyed virtually untrammelled freedom of expression. As 1977 ended, direct, sharp public criticism of the Torrijos Government was appearing in the media.

On December 20, 1977, General Torrijos met with the Panamanian journalists' union to discuss ways of modifying Decree Law 343 so as to eliminate the provisions offensive to human rights, while maintaining protections against libel and slander.

Labor unions are generally free to organize and operate in Panama under the labor code of 1972. Membership is voluntary. About 10% to 12% of the Panamanian work force is unionized. Organizational and operational freedoms were somewhat reduced by a law promulgated at the beginning of 1977 in an attempt to restore business confidence and stimulate the economy. The unions are generally free of outright Government control or open meddling and are relatively free to criticize official economic and labor policies. The Government frequently solicits labor's views before making domestic policy decisions.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Internal and external movement, including emigration, is entirely free. Expatriation has been a preferred Government tactic for dealing with outspoken dissidents. Citizens from the political right, left and center have been exiled. Although expatriation is prohibited under Article 29 of the 1972 Constitution, 18 persons were exiled without trial in 1976. The Minister of Labor stated in a May 26, 1977, national television interview that the Government had preferred to exile 14 citizens in January 1976 rather than apply the "appropriate law" (probably Decree Law 342) which he described as "more severe". There were no expatriations in 1977.

In May 1977, General Torrijos announced his decision to allow the return of 82 exiles. He indicated that the return of others would be considered on a case-by-case basis. In November 1977, General Torrijos declared his commitment to the eventual return of all exiles.

c. Freedom to Participate in the Political Process

Panama's authoritarian political system is governed by the Constitution of 1972. Under this charter, there is a National Assembly of Community Representatives (NACR), whose 505 members were elected by popular vote in 1972 for a six-year term. The executive and other legislative organs of government, which hold the real power in the country (Presidency, Cabinet, Judiciary, and National Legislative Commission), are either elected indirectly by the NACR or appointed by General Torrijos. The latter holds special temporary powers under Article 277 of the Constitution as Supreme Chief of the Revolution. Persons elected to serve in the NACR also serve in representative bodies at the community and provincial levels. This system has resulted in greater participation in public life at the local level and a more direct funneling of local concerns and interests to the national level than was previously the case. The Government also consults with a broad range of important non-governmental groups and associations during the formulation of policy and initiatives.

Political parties are banned, but the ban is not strictly enforced. Some parties have maintained their organizational identities and structures, and operate informally as "movements" or under the camouflage of business, labor, or trade groups. Some of the pre-1968 parties participated in the debate on the proposed Panama Canal treaties. At least one party, the Liberal, gave its views on a prime-time television broadcast. Party leaders met with several United States Senators visiting Panama in November and December 1977. The parties are tentatively planning to participate in the 1978 NACR elections. On November 28, 1977, the Democratic Alliance for National Liberation was formed by some 300 representatives of organizations and parties opposed to General Torrijos.

The Alliance has strongly criticized the Government, its institutions, and its policies. The November 28 proceedings were broadcast on nationwide radio and reported in the press.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights.

In September 1977 the Government invited the Inter-American Human Rights Commission to visit Panama to investigate various charges and to publicly report its findings. General Torrijos promised that if any political prisoners were found, they would be released. The Commission sent a delegation to Panama on November 29 for a one-week visit. Also, in May 1977, in response to criticism from a Venezuelan youth group, General Torrijos personally invited the group to visit Panama "to see for themselves" what the state of human rights was. The group has not acted on that invitation.

On November 17, the Government announced that the NACR had ratified the American Convention on Human Rights.

The Government invited the Secretary-General of the United Nations and the rectors of many universities in Latin America and the United States to observe the October 23, 1977, plebiscite on the proposed Panama Canal treaties. The Secretary-General sent a team of observers led by his Special Representative, Under-Secretary-General Erik Suy; and 20 universities, including three in the United States, sent their rectors. Approximately 95% of the eligible voting population turned out to vote, and the treaties were approved by 66.1% of those who voted.

Reports indicate that the observers were given full freedom of movement, that voting irregularities were quickly corrected when observed, and that on the whole the plebiscite was fairly conducted. The United Nations Special Representative reported "that the plebiscite of 23 October 1977 on the Carter-Torrijos treaties was extremely well prepared and that the plebiscite itself took place in an atmosphere of calm and in accordance with the usual democratic standards." The Special Representative added "the plebiscite of 23 October 1977 took place in a normal way and . . . was an example in democracy."

PARAGUAY

Paraguay has a tradition of authoritarian rule. The President, General Alfredo Stroessner, has governed for over 23 years. He is expected to be reelected to a new five-year term in February 1978. There have been cycles of repression in Paraguay under President Stroessner. Recently there has been improvement in some aspects of the Government's human rights performance, but abuses continue. A major contributing factor to abuse is a state of siege which has been in force since 1947. During 1977, releases of political prisoners substantially exceeded new arrests, with the year end estimate of those still in custody below 200. However, 19 Christian Trade Unionists were arrested in December.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Article 65 of the Constitution proscribes torture. A practice of police brutality and arbitrary arrest is well entrenched. Reports of torture--some credible, some unverifiable--continue to be received. They usually refer to systematic mistreatment during an interrogation designed to elicit information or to undisciplined actions by individual jailors. Government failure to enforce proper rules of conduct by the security forces serves to condone brutality.

A 1976 report on the status of human rights in Paraguay by the International League for Human Rights (ILHR) contained the following paragraph:

"Torture has undoubtedly been used. We talked to people who had been tortured. There are some documented cases of people who have died under torture. The purpose of torture does not seem to have been, in general, to acquire information, but rather to force those submitted to it to confess, regardless of whether these confessions represented realities or fiction."

b. Cruel, Inhuman or Degrading Treatment or Punishment

The mistreatment of those in police custody sometimes includes cruel, inhuman and degrading acts. A September

1977 Amnesty International publication refers to the use of the pileta, a tub filled with water into which a prisoner is submerged head first.

The Government of Paraguay has established a separate facility for political prisoners, thus removing them from the custody of local police. The 1977 ILHR report stated that while conditions at this facility were initially harsh, they have steadily improved.

Although landowners occasionally kill Indians (and there was reportedly a mass killing of 20 Indians several years ago), charges of "genocide" against Paraguay appear to be false. Authorities can be charged with negligence for not enforcing the law and with considerable neglect of the Indians who suffer from poverty. A current study of the Ache Indians by Robert Smith of Kansas University appears to support the foregoing judgments.

Official Government policy toward the Indian population calls for protection and gradual assimilation. More reservation land has recently been allocated for the Indians and there have been public inspections of tribal areas.

c. Arbitrary Arrest or Imprisonment

Under Article 79 of the Constitution a state of siege has been imposed almost without interruption since 1929, and continuously since 1947. This allows for the indefinite detention of suspects without due process through the suspension of abridgment of individual guarantees. The state of siege which permitted arbitrary arrest and imprisonment, is premised on the presence of a subversive threat to Paraguay's institutions but the very length of the state of siege and the climate of political stability argue against the need for this extraordinary measure.

d. Denial of Fair Public Trial

The Executive has been reluctant to bring political or subversive prisoners before a court of law. In addition, the ILHR has found that there is an acute shortage of qualified judges. Resolution of a case can drag on several years because of crowded court calendars.

The judicial process also suffers from interference with the ability of the defense to develop an adequate case.

The fairness of the judicial process for political prisoners is adversely affected by restrictions for access to attorneys. Lawyers with clients in the Emboscada prison, have been allowed to visit prisoners only on family visiting days and have been denied privacy for discussion with defendants. Court and police records may not be readily available. The ILHR recently reported that the Minister of the Interior has promised "... an extra visiting day for attorneys and to permit notes, papers, and documents to be retained by attorneys . . ."

Prior to 1975 persons detained under state of siege provisions were rarely charged and tried. However, in November 1976 some 45 detainees suspected of involvement in a group known as the Organizacion Politico-Militar (OPM) were charged under the anti-subversive law. OPM members reportedly received their training from the ERP of Argentina, one of the two groups most responsible for leftist terrorism in that country. As many as 1,000 persons may have been picked up for initial questioning regarding the OPM in a wide-ranging roundup in 1975 and 1976. It is estimated that a sizeable number of these remain in jail among the approximately 200 political prisoners. In July 1977 the Government also detained 17 persons for alleged connection with the Communist Party and the OPM. Eleven of these have been released and the remaining six have been ordered to stand trial for subversion.

e. Invasion of the Home

Invasions of the home occur usually in connection with investigation of supposed subversive activity. The state of siege provision of the Constitution, Article 79, overrides basic protections against arbitrary searches.

3. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care, and Education

In April 1977 the World Bank judged Paraguay's development strategy of agriculture and agroindustries to be well focused. All but 3% of Paraguay's exports are agricultural in origin. The World Bank indicated an economic growth rate of 7% during the 1972-1976 period.

In recent years donors have been directing more attention to projects in the agricultural and health sector which will be of direct benefit to the poor. The Government of Paraguay has pushed infrastructure projects in transportation and an immense hydroelectric project which will supply relatively inexpensive energy on which industries can base their operations.

A significant portion of Paraguay's population is still outside the money economy. According to the World Bank, 60% of Paraguay's population lives in rural areas, and 65% of that sector earns less than a poverty level income. The country depends on river and air transport, and a limited road system. When roads become available, the small farmers quickly take advantage of increases in world market prices, as was evidenced in 1977 when small farmers sharply increased their income with the production of cotton and tobacco.

The Government is engaged in an active, ongoing home-steading and colonization program. Government-provided land now accommodates 21% of the rural population. As a result of this program and the efforts of the authorities to grant titles to poor farmers, over 55% of farmers may now have title to at least part of their land. An analysis by the World Bank indicates expropriation of many large land holdings would not necessarily be beneficial because these holdings are most suited to extensive agriculture.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Paraguay is largely free of religious and racial discrimination except for the problems mentioned with respect to the Indian population. Exceptions to the generally respected freedom of assembly occur in cases in which the Government suspects "subversion" or "Communist activity." On those grounds certain Jesuit cooperative development programs were harassed and closed in 1976 and several members of a welfare organization sponsored by the Disciples of Christ were arrested. All but two persons of the latter group have been released.

The Paraguayan Workers' Convention (CPT), representing over 90% of organized labor, is the only legally recognized union. It is under strict Government control.

Christian unions have been modestly active, particularly in rural areas, but have incurred Government displeasure.

In theory, freedom of the press and speech are constitutionally guaranteed. Press criticism is tolerated within limits. Government programs may be criticized, but officials may not. Self-censorship is practiced.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There are no restrictions on movement within the country, provided an individual has a valid ID card. A persistent problem has been the refusal of the police to return I.D. cards to former detainees, or to issue them new ones. Foreign travel and emigration are not restricted as a rule and emigration has served as a safety valve for the unemployed. Certain former political prisoners have been sometimes prevented from traveling abroad.

c. Freedom to Participate in the Political Process

Paraguay has a long history of authoritarian government. President Stroessner, who has governed continuously since 1954, is often credited with bringing "stability" to Paraguay, but at high cost to civil liberties.

In the national elections of 1968 and 1973, the Colorado Party (Stroessner) received approximately 77% and 83%, respectively, of the total vote cast, although the political opposition asserts that many registered voters were turned away.

There are two traditional political parties in Paraguay: the governing Colorado Party, which almost exclusively enjoys the political patronage of Government jobs, and the Liberals, who are split (the Government-dominated central election board ruled against an agreed merger that was approved in convention). A third legally recognized party, and the only one considered to be ideologically oriented, is the Febrerista Party. The Christian Democrats have yet to receive recognition.

Currently there are two regularly published opposition party biweeklies, and a third which appears sporadically, but these are subject to the restrictions on freedom of the press noted above.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

On several occasions the Government has allowed human rights groups to enter the country to meet with appropriate officials and private citizens. Former Ambassador Stephansky has headed visits by two groups from the ILHR. His report on the first visit in 1976 was published by the ILHR and summarized in the Paraguayan press. The purpose of the second mission in 1977 was to conduct a study of the Paraguayan legal system.

In 1977 Richard Arens, the editor of Genocide in Paraguay, accepted an invitation from the Paraguayan Government to examine firsthand the situation of the Ache Indians, the subject of his book.

The Government of Paraguay has agreed to permit a visit by the Inter-American Human Rights Commission soon after the February 1978 national elections.

PERU

The 1933 Peruvian Constitution, in force except where in conflict with the Revolutionary Statute of 1968, guarantees rights of life, liberty and security. Following public disturbances in July 1976, certain individual guarantees--habeas corpus, inviolability of the home, right to strike and freedom from deportation--were suspended. These constitutional guarantees were restored on August 28, 1977, with the lifting of the state of emergency. Peru has embarked on a transition to constitutional democratic rule. The Government of Peru supports human rights in international fora.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There have been a few reports of torture; some may be true but there is no evidence that such practices are condoned by the Peruvian Government. The Minister of Interior has publicly pledged to investigate thoroughly every case of alleged torture or mistreatment and to see that the guilty are punished.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Peruvian penal facilities are often rudimentary and overcrowded. In a small number of reported cases suspects have died while in police custody. Occasionally in the past the Government has appeared to condone arrest, detention, or deportation for what it perceived to be security reasons. Otherwise it does not generally approve violations. However, local Peruvian authorities on occasion violate the rights of suspected criminals or potential troublemakers.

c. Arbitrary Arrest or Imprisonment

During the 13-month state of emergency in 1976-77, the Government of Peru detained and sometimes deported

those whose activities were perceived to be a threat to internal security. These emergency measures were used primarily against labor leaders, as well as against some leftists.

Prior to and immediately after a July 19, 1977 general strike, 400-500 labor leaders/activists were temporarily detained. Cuacone mine labor leader Victor Cuadros was deported and has not been allowed to return. All of the labor leaders were released but six, who are now being tried on state of emergency charges.

Of the workers fired as a result of participation in the July 19 strike, perhaps as many as 3,000 have not been rehired. Union headquarters were allowed to reopen.

With growing economic problems and inflation, particularly since the implementation of a free exchange market on October 10, 1977, local strikes have been more frequent. Thus far the Peruvian Government has been generally conciliatory in dealing with them. However, there have been several arbitrary arrests since the suspension of the state of emergency.

One case which has attracted considerable attention is that of Callao slum leader Jesus Alberto Paez Vargas, who disappeared in August 1977. Paez' neighbors and supporters staged several occupations of Lima churches after his disappearance, but Peruvian authorities have consistently denied any knowledge of his whereabouts.

Amnesty International has reported that members of a federation of teachers unions have been held on unspecified charges in an isolated penal colony since June 1976. No denial of this has been issued by the Peruvian Government.

d. Denial of Fair Public Trial

With restoration of suspended constitutional provisions in August 1977, habeas corpus guarantees are in force. There remain instances of detention without speedy public trial,

but such delays are due mainly to Peru's overburdened and anachronistic legal system. Quechua-speaking peasants often find access to swift and impartial justice blocked by centuries-old barriers of prejudice and ignorance.

e. Invasion of the Home

The Constitutional guarantee of inviolability of the home was restored in August 1977. There are no indications of subsequent violations by Peruvian authorities.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

A major goal of the Peruvian Revolution has been to transform the economic and social system through agrarian and industrial reforms so as to improve the status of the poor majority and to enable them to participate in a vaguely defined "social democracy". Policies on health care and education have also been geared to extending services to the masses. Government policies have not always had the intended effect but their intent was clear. Corruption at lower levels of Government has long been a problem and marginally diverts resources from the poor.

Peru is now in a severe economic crisis which has forced the Government to resort to austerity measures. A reduction in subsidies on basic commodities, prompted by the economic crisis, has adversely affected the poor. Government resources which could have been directed to economic development have been diminished to some extent by large-scale arms purchases and military expenditures in the past few years. The Government has stated publicly that new arms purchases will cease at least until 1980.

3. Respect for Civil and Political Liberties Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

The Constitution of 1933 guarantees liberty of conscience

and religion. These rights are respected in practice, and individuals are not persecuted for their religious beliefs. The Government's broad interpretation of what constitutes individual libel or an offense against the state and the armed forces has resulted in instances of restriction of freedom of expression.

National circulation daily newspapers have been under direct Government editorial control since 1974. Peru's "Tupac Amaru" Plan for the period 1977-1980 states in very general terms the Government's commitment to turn over the national newspapers to their respective "organized sectors of society". In late 1977 President Morales Bermudez declared that during the 1978 Constituent Assembly election campaign the political parties will have "access" to Government-controlled media. Until very recently, independent magazines and weekly newspapers were subject to prior Ministry of Interior "evaluation", but instances of forced deletion of material were rare. This pre-censorship was suspended on November 17, 1977.

Since termination of the state of emergency, freedom of assembly has been generally observed.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

The constitutional guarantee of free domestic and foreign travel was restored in August 1977 and is being respected in practice. Some political figures deported in the past few years remain abroad. It is unclear whether they are allowed to return to Peru or have decided not to return, for the time being at least.

c. Freedom to Participate in the Political Process

During the 1968-76 period of the Peruvian Military Revolution, this freedom was severely restricted. However, in 1977, the Government has publicly committed itself to Constituent Assembly elections in 1978 and a return to civilian constitutional rule by 1980. On November 16, 1977, the Government announced a detailed election law, and interest in elections is growing among

civilian political parties and groups. The Government has held numerous meetings with recognized political leaders.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Government of Peru supports both the UN and the Inter-American Human Rights Commissions. Peru has signed (but not yet ratified) the American Convention on Human Rights. The Government has also made observance of internationally recognized human rights standards a part of its political plan for 1977-80.

The Amnesty International Report 1977 stated that, after the September 1976 arrests of Lima university students, serious allegations of torture were made by some detainees. Amnesty wrote to the Peruvian Minister of Interior to welcome official announcements that there would be an inquiry into the allegations. The Ministry subsequently denied the charge of torture.

URUGUAY

Uruguay's long tradition of democracy and respect for human rights has been severely battered in recent years. An urban guerrilla group, the Tupamaros, began the cycle of violence with a brutal campaign of urban terrorism, marked by assassinations, kidnappings and other violent acts. The Tupamaros aimed for an extreme left revolution that would overthrow the democratic system, but instead provoked harsh repression and the eventual military takeover.

The military, which took over the counter-guerrilla campaign from the police in 1972, had largely eliminated terrorism as a significant force by 1974-75. Nonetheless over time the military dismantled the democratic system, closing Congress, ousting the elected president, severely restricting press and political liberties, and setting up an authoritarian regime.

The Tupamaros have been discredited and broken-up but repression continues. The Government consistently denies that torture and other inhumane methods are condoned by official policy. But at the same time the Uruguayan authorities at least implicitly excuse these measures on the grounds that combating subversion requires extraordinary methods.

The fact that terrorism and harsh government repression are aberrations in Uruguayan history argues for an eventual return to respect for human rights and democracy. The military-civil regime has announced an intention to move toward carefully controlled elections in 1981. There have been hints of change in respect of the regime's repressive practices, but little real improvement.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture was used extensively in the anti-Tupamaro terrorist campaign. The use of torture has declined significantly since the early 1970s but there are reports, some clearly reliable, that torture is still used, particularly in the early stages of detention. Amnesty International, among others, charges that torture continues to be extensive and to affect individuals from all walks of life, but there is no way of confirming the extent of the practice.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Psychological abuses of detainees during the initial interrogations appear routine. Prisoners are often isolated, hooded, threatened, and made physically uncomfortable. Once this stage is passed and the detainee is brought before a military judge for disposition of his case, conditions usually improve markedly. In general, prison conditions are judged to be satisfactory, and are better for political detainees than for common criminals. Prisoners do not appear to be mistreated by guards. There have been infrequent but credible reports of extra-legal summary executions ("disappearances").

c. Arbitrary Arrest or Imprisonment

The legal bases for arrest established by the National Security Law of 1972 and the Emergency Security Measures of 1973 as further amplified in 1975, suspend guarantees against arbitrary arrest and imprisonment.

The Government of Uruguay officially lists 2,366 national security prisoners as of October 1977, a significant figure in this small country (slightly over 3,000,000 population). Amnesty International has repeatedly estimated as many as 5,000 political prisoners in Uruguay, but there is no way to confirm these figures.

d. Denial of Fair Public Trial

Political offenses are tried in military courts under military law. The Uruguayan court system under both the Ordinary Penal Code (OPC) and the Military Penal Code (MPC) relies on written proceedings in pre-trial investigation, arraignment, trial, and sentencing stages of the judicial process. Terrorism, subversion and other "crimes against the nation" are subject to the MPC. Confessional evidence has been the basis for almost all convictions for national security offenses. It is not unusual for a judge, who rules on the basis of written briefs, civil or military, never to confront the accused face-to-face. The evidence, arguments and records of such proceedings under OPC and MPC are not open to the public or press, though the MPC appeals process provides for a public hearing.

Attorneys have less opportunity to make an effective defense under the MPC than under the OPC. According to the Emergency Security Measures, a person accused of subversive activities should go before a military judge

within ten days (24 hours for a person under the OPC). There are lengthy delays both in informing the accused of the precise charges and before judicial proceedings are started (as opposed to the 48 hour limit under the OPC). Under the MPC attorneys are not permitted access to their clients during the pre-trial investigation. Once the accused is turned over to a military judge for possible arraignment, lawyers are permitted access to their clients but only in the presence of the authorities (lawyers see clients in private under the OPC).

When a person held on national security grounds completes his sentence, the authorities sometimes continue to detain the individual.

e. Invasion of the Home

Uruguayan Government practice under the current Emergency Security Measures restricts guarantees with respect to inviolability of the home of persons who they say are suspected of terrorism, subversion or other crimes against the nation. Wholesale raids, as in the Tupamaro period, and subsequent round-ups of Communists, have subsided. Currently, invasions of homes by security forces are infrequent and reportedly do not involve looting or other abuses.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Per capita income for this generally middle-class country is about \$1,300, high for the region. Despite inflation, occasional shortages and a continuing reduction of real income, the overwhelming majority of the population is adequately fed. There are various Government-sponsored community feeding programs for the poor. Housing is not a major development priority since for years the Government has allotted substantial resources for subsidized housing to middle and lower classes.

Health care, as a result of many years of heavy public investment, is extensive and accessible to the entire population, is free to the poor (nominal costs for others) and is adequate. Likewise, public educational opportunities are accessible to the entire population. In recent years development priorities have focused on the productive sectors, agriculture and industry, which were neglected in the past.

Uruguay's recent fiscal improvements have been accomplished at a social cost which has fallen heavily on lower income groups, but income distribution remains among the most equitable in the hemisphere.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Freedom of the press is severely restricted. Direct public criticism of the Uruguayan Government is subdued and infrequent. Attacks against the armed forces are not tolerated. The media operates under a system of self-censorship with guidelines established by the authorities. The Emergency Security Measures have been used to prohibit the dissemination of other than official news releases or commentary on "subversives" and Government operations against them.

The non-Marxist press continues to publish. It has been affected by recent government actions. During 1977 the monthly Busqueda was suspended for two issues and the daily newspaper El Dia for ten days for separate published items judged critical of Uruguayan authorities or actions. Additional measures were taken against El Dia, including the temporary expulsion of its editor and suspension of its import duty exemptions for thirty days. Journalists are frequently questioned and warned about stories they have written, and newspaper directors detained as a show of displeasure.

The Government generally respects the constitutional guarantees relating to freedom of religion. There have been conflicts between the Government and some groups affiliated with religious organizations, including liberal Catholic groups.

Freedom of assembly is severely restricted. Political meetings cannot be held and meetings and elections of officers of all clubs and associations are strictly controlled. Such meetings must be approved well in advance by security authorities who pass judgement on the agendas and lists of participants. Non-Communist unions continue to function within restrictions imposed by the Government, such as the need to obtain prior approval for meetings, agendas, elections and organizing

activities. The use of right to strike, recognized by the Government, is discouraged in practice.

Institutional Act No. 7 provided the Government with a powerful tool to control the activities of government employees, previously guaranteed virtually lifetime job security, by providing means for their summary termination. Estimates of the number of employees terminated under the provisions of the Act since enactment in July 1977 vary widely.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There are no general restrictions with respect to freedom of movement within Uruguay, foreign travel and emigration. The Government has, however, in most cases, denied persons detained for political offenses the exercise of the constitutional right to leave the country instead of serving their sentences. The Government argues that many such persons who were permitted to leave the country returned clandestinely and renewed their activities, or were active in overseas campaigns against the Government. Foreign travel and emigration may be denied to persons suspected of past or present "undesirable association."

c. Freedom to Participate in the Political Process

Freedom to participate in the political process does not now exist. In the meantime, Institutional Act No. 4 has deprived thousands of persons, including most acknowledged leaders of the traditional political parties, of their political rights for up to 15 years. While their headquarters remain open and the political parties retain elected officers, they are not permitted to function effectively.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

In the past the Uruguayan Government accepted outside, independent investigations of alleged human rights violations. Amnesty International together with the International Commission of Jurists conducted an on-site investigation

in 1974. Prior to that date, the International Red Cross was permitted to visit prisoners. The International Labor Organization (ILO) conducted two inquiries into the labor situation, the latest in 1977.

The Government of Uruguay has taken a hostile attitude to proposals for outside impartial inquiries. In the past, Uruguay denounced the OAS's Inter-American Human Rights Commission, whose competence and responsibility in such matters is fully established in international law through the instruments of the Inter-American System. This rigid attitude may now be under review by the Uruguayan Government.

VENEZUELA

Venezuela is a stable practicing democracy with a very good human rights record. President Perez of Venezuela met with President Carter in Washington on June 29-30, 1977. The two Presidents issued a joint communique stating that they have a common commitment to join with other nations in combatting abuses of human rights. Venezuela has taken a leading position in international fora in advocating respect for human rights.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Venezuelan governing practices respect the constitutional guarantees of integrity of the person. Torture is not practiced.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Venezuelan laws prohibit cruel, inhuman or degrading treatment or punishment, and this prohibition is respected in practice.

c. Arbitrary Arrest or Imprisonment

Arbitrary arrest or imprisonment are illegal and are not practiced in Venezuela.

d. Denial of Fair Public Trial

The slowness of the judicial system sometimes leads to the situation of "justice delayed, justice denied" but this is not a question of willful public policy.

e. Invasion of the Home

There are effective legal safeguards against arbitrary invasion of the home.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The policies of the Venezuelan Government are designed to respond to the needs of the poor. Recent measures have resulted in supplementary nutritional programs for underprivileged children, low cost housing projects in most towns and cities, a vast expansion in health care facilities in the interior, and an increase in the number of high schools and technical institutions nationwide.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

There is full respect for freedom of thought, speech, press, religion and assembly in Venezuela.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There are no restrictions on freedom of movement, travel and emigration.

c. Freedom to Participate in the Political Process

There is full freedom to participate in the political process. More than 90% of the eligible population voted in the last election.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The willingness of the Venezuelan Government to allow independent, outside investigation of alleged human rights violations has not been at issue, since no such investigations have been requested in recent years, presumably because of Venezuela's good human rights record. Venezuela is a strong supporter of the Inter-American Human Rights Commission.

EAST ASIA AND PACIFIC

AUSTRALIA

Respect for human rights in Australia parallels that in the United States. Democratic traditions are firmly rooted in society. All citizens have the basic rights guaranteed by the Common Law tradition and the Australian Constitution.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture is unknown.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Freedom from cruel, inhuman or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice.

d. Denial of Fair Public Trial

The right to a fair hearing and a fair public trial is guaranteed by law and respected in practice.

e. Invasion of the Home

There are effective legal safeguards against arbitrary invasion of the home.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Australia has a well-developed social welfare system that effectively meets basic needs for food, shelter and health care. There is universal public education.

3. Respect for Civil and Political Liberties,
Including:

a. Freedom of Thought, Speech, Press, Religion
and Assembly

Freedom of thought, speech, press, religion and assembly are guaranteed by law and respected in practice. Public demonstrations are a common and recognized form of political activity. There is a free and active trade union movement.

b. Freedom of Movement within the Country,
Foreign Travel and Emigration

There are no restrictions on movement within Australia, on foreign travel or on emigration.

c. Freedom to Participate in the Political Process

Freedom to participate in the political process is guaranteed by law and respected in practice.

4. Government Attitude and Record Regarding International
and Non-Governmental Investigation of Alleged
Violations of Human Rights

The Department is not aware of any requests for independent, outside investigations into human rights conditions in Australia. There have been instances of social and economic discrimination against persons of aboriginal descent, but the Government of Australia tries through legal and administrative means to extend the full and equal protection of the law to such persons.

BURMA

The Socialist Republic of the Union of Burma is governed under a constitution promulgated in 1974 after approval by national referendum. Under this basic law, President Ne Win presides over a one-party form of parliamentary government and serves as Chairman of the sole legal political party -- the Burma Socialist Programme Party (BSPP). The guiding philosophy of the BSPP is a mixture of socialist or Marxist-Leninist concepts and traditional Burmese nationalist philosophy. Thus, authoritarian limitations on civil and political rights are affected by Burma's cultural heritage.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There is no evidence that the Burmese Government uses or condones torture. In the past there have been occasional reports that suspects accused of subversion or other anti-governmental activities have been subjected to psychological intimidation (long periods of isolation, enforced sleeplessness, disorientation tactics) to break down their resistance to interrogation. We have not been able to confirm these reports.

b. Cruel, Inhuman or Degrading Treatment or Punishment

We are not aware of any intentional cruel, inhuman or degrading treatment or punishment employed by the Burmese Government. Conditions in Burmese jails are poor, resulting from the overall low standard of living in the country.

c. Arbitrary Arrest or Imprisonment

Widespread arrests on political charges occurred under the Revolutionary Council in 1962, 1965 and 1972. Most, if not all, of those arrested were subsequently released. In instances of widespread public disturbances, mass arrests have been made. There were also a large number of arrests in 1976 and 1977 after plots against the

government were uncovered, and recently in the wake of a Burma Socialist Programme Party internal realignment. The 1974 Constitution prohibits detention without charge beyond 24 hours, but a 1975 anti-subversion law in effect suspends this provision. In practice, detainees have been released within a short time or charged under criminal statutes dealing with public disorder or anti-government conduct. Some of those charged have been convicted and sentenced to long prison terms. Amnesty International's 1977 report states that there are "at least several thousand political prisoners" in Burma. We are unable to verify that figure, but there are political prisoners in Burma.

d. Denial of Fair Public Trial

The 1974 Constitution provides Burmese citizens access to the courts and a public hearing for any grievances or charges against them. Trials since that date have been public. The burden of proof is upon the prosecution and the accused has the right to an attorney. A system of People's Courts handles many local problems, including civil disputes and anti-social behavior, generally in accordance with traditional Burmese notions of community harmony and common sense fair play.

e. Invasion of the Home

To our knowledge the privacy of the home is generally respected by the Burmese Government. Exceptions occur during public disturbances and actual combat operations, particularly in insurgent areas. The 1974 Constitution guarantees the privacy and security of the home.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Burma's annual per capita GNP of slightly more than \$100 places it clearly among the world's least developed countries in economic terms. This fact accordingly severely restricts the government's ability to improve living conditions.

Most local and foreign observers attribute the low growth rate of this potentially prosperous nation to the ineffectiveness of economic policies and the heavy hand of a centralized bureaucracy. In some areas, the standard of living has fallen below that existing when the current government took power in 1962. The Burmese Government had brought about substantial economic leveling, and has made real efforts, however ineffective, to provide for the basic needs of its citizens.

As in many developing countries, the military and political elite generally enjoy a higher standard of living than most ordinary Burmese. Since virtually the whole country is involved in or tacitly supports a shadow black market economy (both foreign and domestic), the elite probably do not benefit significantly from corruption as much as from privileged access to housing, food supplies, consumer goods and health care facilities. However, the impact on the poor is probably not great.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Freedom of expression is limited in Burma. While private statements of discontent with the government are acceptable, public declarations in opposition to the regime are not tolerated. Public media are government-owned and controlled, and the limited foreign publications permitted to be imported are occasionally censored. Foreign radio broadcasts are widely and freely available.

Freedom of religion is a basic tenet of the 1974 Constitution and is to our knowledge widely observed. Freedom of assembly, however, is restricted. Independent, secular mass organizations (including labor unions) are banned. Instead a network of party-sponsored workers' and peasants' organizations, youth leagues, and similar groups have been formed. The workers' organizations, like the other mass organizations, provide some opportunity for expression of the views of ordinary citizens, but largely serve as a means of communicating national policies and implementing government programs.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

The 1974 Constitution guarantees the right of citizens to live anywhere within Burma. Exceptions apply to military areas or areas of insurgent activity. Non-citizen residents of Burma (primarily Indians or Chinese, many of whom were born in Burma) are also subject to travel restrictions. They may not change their residence freely, and require an internal visa from the local people's council for any travel within Burma.

In practice, foreign travel is denied to all but a few Burmese, mostly military and government officials or participants in officially-sponsored or sanctioned exchange programs. Emigration is permitted, although bureaucratic and legal requirements make it a lengthy and expensive process for most Burmese. The prospective emigrant must resign any government job, repay the government for any higher education, and pay advance income tax on anticipated earnings abroad. Emigres who have adopted foreign citizenship were until recently not permitted to return to Burma for even a temporary visit. This restriction appears to have been relaxed somewhat in late 1976.

c. Freedom to Participate in the Political Process

The Socialist Republic of the Union of Burma is governed under a Constitution promulgated in 1974 after approval by a national referendum. Under this state socialist-styled basic law, President Ne Win presides over a one-party form of parliamentary government. The President is also chairman of the sole legal political party -- the Burma Socialist Programme Party (BSPP). Although there is universal suffrage, the electorate has limited choice in national and local elections, since candidates for public office are largely pre-determined by the party. The election lists do include, however, non-BSPP candidates -- some of whom are elected to office.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

We are not aware of any independent, outside investigations of human rights conducted within Burma. Nor do we know of any requests for such investigations by internationally-recognized organizations. The Burmese Government almost certainly would not be willing to permit such investigations.

REPUBLIC OF CHINA

Essentially a one-party state, the Republic of China (ROC) on Taiwan operates under martial law conditions which the government states are required by its continuing confrontation with the People's Republic of China (PRC). While human rights violations continue to occur, their frequency has diminished. Also, island-wide elections were held recently which opponents of the government described as fair, and which saw the election of a significant number of non-party candidates.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Publicly stated government policy prohibits torture. Reports about the use of torture or other cruel treatment have been relatively rare in recent years. When such reports do occur, they have usually been associated with pretrial detention and the extraction of confessions. For example, Amnesty International, in its Briefing Paper on Taiwan (No. 6, October 1976), maintains that during the pretrial detention period, "...political prisoners are held in solitary confinement, generally in underground cells without a bed and without exercise. They are denied books, pen and paper, except for the purposes of writing a confession." This type of mistreatment probably occurs, although it is difficult to verify.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Reports of cruel, inhuman or degrading forms of punishment are now rare. Imprisonment is the usual form of punishment in the ROC. While those convicted of sedition can be sentenced to death, the government reports that only one person has been executed on sedition charges in recent years. A few individuals convicted of non-political crimes have also been given the death sentence. Prison conditions on Taiwan have been improving lately, but reports alleging inadequate medical care continue. We do not have means of independently verifying these reports.

c. Arbitrary Arrest or Imprisonment

In the 1950's, there were reports of people disappearing without word of their fate. Now, arbitrary arrests are infrequent, although some individuals suspected of "sedition," as defined in martial law provisions, have been detained and held incommunicado for weeks and at times months without being formally charged or tried. The general practice is either to indict detainees after an initial period of detention, or to release them. In December 1976, Prime Minister Chiang Ching-kuo stated that 254 persons were in prison on sedition charges. We do not have means of verifying that number.

d. Denial of Fair Public Trial

The ROC believes that the ongoing state of civil war with the PRC requires continuation of martial law. Opposition to basic national policy is considered to be seditious behavior, punishable under martial law, and the ROC continues to try civilians suspected of "sedition" in military courts. Normal habeas corpus procedures do not appear to be applied in a consistent fashion in sedition cases. In military court trials and appeals, the accused has only limited opportunity to defend himself. In the recent past, members of the accused's family have been allowed to attend these military court trials, and occasionally even carefully selected members of the public as well. While appeals to higher military courts in some cases result in reduced sentences, lower military court convictions have not been reversed.

e. Invasion of the Home

In contrast with the situation two decades ago, unjustified invasion of the home is not a common practice in the ROC. Non-violent searches do occur in connection with arrests; these usually, though not always, are authorized by a warrant.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Taiwan has an impressive record in helping to fulfill the basic needs of its people. The gap between the rich and poor is steadily narrowing. The ratio of per capita income between the top 20 percent and bottom 20 percent of the population has been reduced to about 4 to 1, against a background of rapid economic growth in a relatively free market economy. The government has designed programs to ensure that rapid industrialization does not exacerbate the moderate disparity that exists between the rural and urban sectors.

Rapid and large-scale urbanization results in somewhat congested housing in Taiwan's major cities. Nevertheless, slum conditions are gradually ameliorating and housing in both rural and urban areas is generally adequate. An increasing number of families are beginning to enjoy modern conveniences and luxury items familiar in industrially advanced societies.

The ROC has developed an effective public health program and a system of health stations throughout Taiwan. All major epidemic diseases have been brought under control. The government provides health promotion programs that include maternal and child health, family planning, school health, dental health, special care for disabled children, communicable diseases control and environmental sanitation. According to 1974 statistics, there are 53,000 licensed doctors, of whom 87 percent are in Western medicine and 13 percent are in traditional Chinese medicine.

Adult literacy on Taiwan is 93 percent. About 4.4 million people, 27 percent of the population, are presently in school. In 1968, a 9-year free education system was instituted; 6 years of elementary school is compulsory, and at least 90 percent of the students continue on through 3 years of junior high school. Taiwan's system of university, college, junior college, technical and vocational schools has grown rapidly in recent years. There are now 300,000 students at the undergraduate level.

People in Taiwan enjoy a good diet. Per capita calorie and protein intakes have been increasing in recent years, reaching 2,727 calories and 74.5 grams of protein in 1975. While maintaining self-sufficiency in its

staple rice crop, the ROC has become an important participant in world food trade by exporting sugar, pineapple, and various fruits and vegetables, while importing wheat and feed grains.

3. Respect for Civil and Political Liberties,
Including:

a. Freedom of Thought, Speech, Press, Religion
and Assembly

Individuals are generally free to speak and publish on most issues not involving basic national policy. Nevertheless, martial law gives the government authority to limit freedom of speech and freedom of the press, and there are generally well-understood limits on both with respect to certain basic political issues. Expressing views contrary to the government's claim to represent all China, advocating accommodation or contacts with the PRC or supporting independence for Taiwan are punishable under martial law. The government conducts post-publication censorship and recalls articles and publications that oppose basic national policy. Some outspoken periodicals have been suspended or banned by the government. The government censors foreign publications but in recent years has lessened restrictions and allowed greater access to information about developments abroad.

There is no meaningful tradition of trade unionism on Taiwan, and labor unions do not exercise significant influence in either the economic or political sphere. While labor unions are permitted to organize, the right to strike is prohibited under martial law.

There is freedom of religion in Taiwan. The predominant religion is a combination of Buddhism and Taoism. Other religions include Catholicism, Islam, and Protestantism. The government has banned some pseudo-Buddhist sects and Reverend Moon's Christian Unification Church. These bans appear to reflect the government's concern about the social policies of these sects rather than their religious beliefs.

The Constitution provides for freedom of assembly. However, the government has used its martial law powers to ban public meetings by those it suspects of dissident views.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There is general freedom of internal travel in Taiwan except to sparsely populated mountainous areas, for which a police pass is required on security grounds and to protect the aborigines from exploitation. Travel abroad or emigration is relatively free, with most of the restrictions related to economic considerations. As Taiwan's economy has prospered in recent years, the number of people traveling and living abroad has increased dramatically. Nevertheless, a small number of people have been denied exit permits for security reasons, and a few foreigners have been denied entry visas on political grounds.

c. Freedom to Participate in the Political Process

Since 1950, democratic institutions have been established at the provincial and local levels and have functioned reasonably well. Elections have been held regularly over the past two decades (universal suffrage for all citizens 20 years of age and older) for all local (i.e. Taiwan province) legislative officials and for the chief executives of cities, counties and villages on Taiwan. However, the Governor of Taiwan province and the Mayor of Taipei city are both appointed by the central government.

Since the Republic of China maintains its claim to be the sole legal government of all China, there are a series of national congressional entities over and above those which pertain solely to the island of Taiwan. These are the National Assembly (which elects the President and Vice President of the Republic) and the Legislative Yuan, which is the national legislature. There have been no general elections to these two bodies since 1948 and the ROC takes the position that such elections cannot be held until it reestablishes control over the mainland. However, since 1969 the government has held

supplementary elections for these national bodies in order to choose additional officials from Taiwan and adjacent islands. These elections have not substantially altered the composition of the national bodies.

Despite the theoretical existence of two opposition parties, the ROC is effectively a one-party state. Candidates who oppose the Nationalist Party (Kuomintang, or KMT) run as independents. Even though the majority of the candidates elected are from the KMT, independent candidates are not infrequently successful. The success of KMT candidates rests partly on the government's accomplishments in promoting social and economic programs and partly on the restrictions placed on the civil and political rights of its opponents, e.g., the limitations on free speech, assembly, and political organization.

In the November 19, 1977 local elections independent candidates made unprecedented gains. Independents won four out of twenty positions as mayors and county magistrates, and twenty-one out of seventy-seven seats in the Taiwan Provincial Assembly. Non-KMT candidates have described the elections as the fairest that have been held in Taiwan.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

International organizations, such as Amnesty International, have visited Taiwan and met with government officials. In 1976, the government offered to allow U.S. Congressmen to visit ROC prisons and publicly invited impartial international organizations to observe prison conditions on Taiwan. Thus far, these offers have not been taken up.

INDONESIA

Indonesia, the world's fifth most populous country dispersed across a 3,000 mile long archipelago, has developed considerable national unity in spite of a great diversity of ethnic, social and religious groups and severe economic difficulties. After achieving independence from the Dutch in 1945-48, Indonesia enjoyed a period of constitutional democracy which was gradually displaced in the latter Sukarno years by an increasingly authoritarian and repressive system. The 1965-66 upheavals, caused by the third unsuccessful attempt of the then 3.5 million member Indonesian Communist Party (PKI) to seize power by force, caused a reaction by Indonesian military and civilian elements which led to Sukarno's surrender of power to Suharto. Since then, Indonesia has had a form of limited democracy under a military-backed government which emphasizes economic development (particularly agriculture) and public order. Of the three parliamentary elections held in Indonesia since independence, two have been conducted under the present government -- in 1971 and 1977.

The principal human rights problem in Indonesia continues to be the detention without trial of large numbers of persons believed by the government to have been associated with the 1965 Communist effort to seize power. On the occasion of its release of 2,500 detainees in December, 1976, the Indonesian Government announced a three-year program to release or try the approximately 30,000 persons it said were still held. The December 1977 release of 10,000 prisoners was the first phase in this program. The Indonesian Government has recently agreed to a resumption of visits by the International Committee of the Red Cross (ICRC) to prisons and detention centers beginning in January 1978.

1. Respect for the Integrity of the Person, Including Freedom from:
 - a. Torture

Torture is not used by the government as an instrument of policy, nor is it officially tolerated by the government. Amnesty International has stated that it continues to receive reports of torture during

investigation. There have been some similar reports from other sources. The Department of State has not been able either to verify or disprove them. There is no evidence of systematic torture or police brutality.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Cruel, inhuman or degrading treatment or punishment are also not used by the government as instruments of policy nor officially condoned, but cases of mistreatment by individual guards have probably occurred. Some available evidence, including recent reports from foreign journalists and released prisoners, indicates that the general conditions of imprisonment have improved. However, other statements also indicate that some individual prison commanders and guards have at times mistreated prisoners. Conditions vary among different prisons. All face the general limitations of the country which is one of the poorest in the world. The Indonesian Government has reportedly on occasion transferred some prisoners from facilities about to be inspected by the ICRC. Agreement has recently been reached between the Indonesian Government and the ICRC for a resumption of unrestricted ICRC visits to prisons and detention centers in Indonesia beginning in January 1978.

Questions have been raised concerning atrocities by Indonesian troops in East Timor in 1975 and 1976 prior to the incorporation of East Timor into Indonesia. The Indonesian Government withdrew and disciplined offending units guilty of individual excesses, but most of the human losses in East Timor appear to have occurred prior to Indonesia's intervention.

c. Arbitrary Arrest or Imprisonment

In 1966, following the Communist Party-instigated coup attempt of September 1965 and the subsequent outbreak of widespread civil strife, the Indonesian Government enacted an Emergency Powers Act. The act supplemented a 1963 anti-subversion law that permitted detention of suspects without charge for as long as one year. At least three hundred thousand persons were detained under the 1966 Emergency Powers Act on

suspicion of complicity in the attempted coup. Most have been freed over the intervening years, and a small number were tried before military courts. Approximately 20,000 are reported by the Government of Indonesia to remain in detention without, as far as the Department is aware, formal charges against them. Most of these are persons whom the Government believes to be hard-core cadres of the Indonesian Communist Party (PKI), which claimed 3.5 million members in 1965. The Indonesian Government stated in late 1977 that 236 of the detainees were persons arrested in 1977. The Department of State can neither verify nor disprove this figure. In January 1978 the government arrested several hundred students, the great majority of whom were released after several days. Amnesty International in a report issued in October 1977, stated that it "calculates that there are certainly more than 55,000 prisoners held without trial in Indonesia, and the actual number of prisoners held without trial is probably about 100,000." While there may be a reasonable margin of error for the number of political prisoners, the Department of State has no evidence to support the much higher estimates. The government states that no persons released from detention have subsequently been re-arrested.

The Indonesian Government announced in December 1976 that it was releasing immediately 2,500 detainees and that all those detained in connection with the 1965 coup attempt would be released in phases (10,000 in 1977, another 10,000 in 1978, and the balance in 1979) or brought to trial before the end of 1979. President Suharto personally and publicly confirmed his government's commitment to the release plan in his annual state address delivered to the parliament on August 16, 1977. The promised 1977 releases were carried out on December 20 in accordance with the government's announced plan.

At that time, the Indonesian Government also announced the number of detainees to be released from each detention facility. Diplomatic observers invited to attend some of the release ceremonies report that those released, with whom they were permitted to talk freely, appeared to consider themselves genuinely free

and in almost all cases departed for their homes in the company of family members, friends or neighbors. Foreign newsmen witnessing the release ceremony on Buru Island reported that some prisoners released there questioned the permanency of their releases.

In January 1977, the government announced the discovery of a radical Moslem underground movement called Komando Jihad (Holy War Command) which allegedly was working to unseat the government by unconstitutional means. A total of 783 alleged Komando Jihad members reportedly were subsequently arrested. Moslem leaders say that many of those detained were held for only a few days and then released. The government announced on June 7 that those clearly implicated in the Komando Jihad movement who had not already been released would be tried shortly. Exact information on the number not yet released or tried is not available, but a government announcement in early November 1977 indicated that at least 46 cases were being processed for trial.

Also in 1977, the Indonesian Government, having earlier released all persons detained without trial in connection with the so-called "Malari riots" of January 1974, released the last three persons convicted for their participation in the riots pending hearings on their appeals of those convictions.

The government has also announced its intention to improve safeguards against arbitrary actions and is known to have taken measures against abuses by officials, including the disciplining, demotions or transfers of police personnel.

d. Denial of Fair Public Trial

Indonesian law and judicial institutions are rooted in Dutch law, traditional law, and in some cases Islamic law. Indonesia contains many ethnic groups, all of whom have strong authoritarian traditions. Statutes which permit long detention without trial and which restrict freedom of speech, of the press, and of movement within the country are deeply ingrained in Indonesian history and tradition, although contrary to internationally recognized human rights. However, it is often difficult to define the law on a specific matter. The Indonesian court system is understaffed and overburdened.

Criminal trials, including those involving internal security charges, are public and they follow established procedural rules.

e. Invasion of the Home

The concept of sanctity of the home has never been a part of Indonesian culture or legal traditions. The Department is aware of no legal prohibition against police search of the home without a warrant. On the other hand, the Department has seen no evidence of arbitrary behavior on the part of governmental officials in this area and no sign that it has ever been an issue in Indonesia.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

In Indonesia, the fulfillment of such needs is limited by the economy's ability to provide the necessary goods and services -- a goal which is always difficult to achieve in a poor country such as Indonesia. Education at the initial elementary grades has recently been made free; beyond that level it is available in many cases only to those who can afford to pay for it. Indonesian universities often establish ethnic quotas for admission of prospective students. Primary education has been extensively expanded and by the first half of the 1970's covered 65 to 70 percent of the primary school age population. Adult literacy also reached 60 percent by the early 1970's.

For more than a decade the present Indonesian Government has given the highest priority to programs of economic development. With the support and advice of a multilateral aid consortium, Indonesia is currently in the second Five Year Plan of an ambitious developmental program. In recent years, the focus has been on the agricultural and food sectors. The great bulk of the people are dependent on the agricultural sector for their livelihood. Indonesia also has one of the most effective family planning programs in the world. However, continuing population pressure has led to a greater focus on labor intensive development projects to absorb unemployment.

Ten years of partnership between an Indonesian civilian economic team and World Bank and IMF advisors, plus approximately \$7.5 billion in foreign assistance, have, by most reckonings, significantly improved the lot of the average Indonesian. On the other hand, all of these efforts have not yet come close to overcoming the immense economic problems posed by Indonesia's population, size, infrastructure and personnel inadequacies. History and geography have also added a special burden with the great majority of the population crowded into Java while most of the potential resources are found in the isolated outer islands. The country remains one of the poorest in the world, with estimated per capita income of about \$240 a year.

There is no doubt that some resources are diverted from basic human needs through corruption. The seriousness and extent of this diversion are more difficult to estimate. There appears to be a stronger anti-corruption push at present than in past years. Senior civil servants have been recently sentenced to long prison terms for corruption. In the latter half of 1977, the government announced and began a new anti-corruption campaign, and investigations under this campaign have been directed against a number of very senior officials.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

The rigorous suppression of the Indonesian press during the latter part of the Sukarno era was initially reversed by the present government. Between 1966 and 1974, the Indonesian press enjoyed as great a degree of freedom as existed anywhere in East Asia outside of Japan. Following the outbreak of severe riots in Jakarta in January 1974, however, a number of publications were closed by the government. Since that time, the press has been less free to criticize the government or its senior leadership, although criticism of specific actions and policies of the government is accepted and there has been a general easing over time. In 1977, correspondents for both the Washington Post and The New Yorker magazine judged Indonesia's

press the freest in Southeast Asia. However, in January 1978, the publication of a number of leading Jakarta newspapers was suspended for reporting student activities which the government considered to be threats to public safety and order. At the time of this report, questions concerning the resumption of publication by these newspapers had not been resolved.

The government is sensitive to criticism. A considerable amount of freedom of expression exists. However, the government imposes limits when it perceives threats to the stability of society or issues of slander.

Despite the large majority professing Islam as their religion, Indonesia is a secular state. There is no hinderance to the free exercise of religion by its citizens.

The Communist Party is outlawed and only three political groups, basically organized around the main religious and political currents in the society, are permitted.

No other unusual limitations apply to the freedom of association. Senior civil service officials are forbidden to join political parties and, under a proposed new law, ordinary civil servants would have to obtain permission from their superiors to do so. Freedom of assembly is limited to the extent that groups must obtain permission to hold meetings, and some large-scale demonstrations may be and have been prohibited, although others have been allowed. Conversely, Indonesians are not induced to attend mass rallies or engage in forced sloganeering.

Indonesia has encouraged the development of trade unions within the framework of a government-sponsored federation. Trade unions must register with and be approved by the Ministry of Manpower, after which they are allowed to engage in collective bargaining and other normal functions. Strikes are forbidden in essential industries and subject to significant restrictions in others. Consequently, strikes are rare.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Largely to control the further movement of surplus population from the rural areas into the already

overcrowded cities, the government requires a permit to change residence. Such permits reportedly are not difficult to obtain for anyone able to prove he has a job. Exit permits are required for persons leaving the country, but they are usually obtainable without difficulty upon presentation of identification papers and the payment of a fee. The government on a few occasions in past years limited the foreign travel of selected political figures. The government has indicated that it will place some temporary residence restrictions on the detainees from the 1965 coup who were released in December 1977 or who will be released over the next several years. The 2,500 persons released in December 1976 were reportedly placed under a limited parole system during their first year following release, but observers in Indonesia report that this has not prevented them from obtaining and holding employment.

c. Freedom to Participate in the Political Process

Indonesia currently has a form of limited democracy under a military-backed government.

Parliamentary elections were held throughout Indonesia in 1971 and most recently in May 1977. Elected representative bodies also exist at the provincial and kabupaten (county) and city levels. All adult citizens except prisoners and members of the Armed Forces may vote. Members of the Armed Forces may not stand for election. Current Indonesian law limits the number of political groups to three; each represents different historical and religious backgrounds, with the pro-government GOLKAR group preeminent.

Parties are enjoined from attacking other parties, endangering national unity, dishonoring government officials or belittling government policies. These restrictions on the political process are enforced

by the government. Despite these parameters, campaigning by the rival groups in the May 1977 elections was intensive, spirited and involved virtually the entire electorate. While the government had greatly superior assets to influence voters and its party received a majority share of the vote, it actually lost seats to the main opposition group. According to a report issued in July 1977 under authority of the House International Organizations Subcommittee, the activities of the opposition political parties were restricted in rural areas. The Department of State believes that this was probably true to a degree.

In accordance with the constitutionally-prescribed process, the President will be elected in 1978 by the People's Consultative Assembly (MPR), a body consisting of all members of Parliament and an equal number of other members (the largest group is elected by provincial legislatures and others are appointed).

There is a highly developed system of decision-making in traditional Indonesian culture based on consultations and consensus rather than bloc voting. Parliament has an appreciable role in the decision-making process, participating in the consensus and on occasion forcing the government to modify its programs despite the government's legislative majority. There is widespread expectation that there will be increased criticism and the Parliament will be more effective under its new speaker, former Foreign Minister Adam Malik.

Questions have been raised concerning the degree to which the right of self-determination has been met in East Timor. The Department of State accepts the incorporation of East Timor into Indonesia although it does not recognize that a valid act of self-determination occurred. The main current interest is to encourage the Indonesian Government to undertake programs of assistance to the people in East Timor.

4. Government Attitude and Record Regarding International and Non-Governmental Investigations of Alleged Violations of Human Rights

The Indonesian Government permitted the ICRC to inspect prisons in 1971, 1974 and 1977. The ICRC withdrew its

inspection teams in early 1977 when misunderstandings between the two sides arose. In late 1977, however, the Indonesian Government undertook discussions with the ICRC concerning further inspections, and a resumption of ICRC inspections in Indonesia is scheduled to take place beginning in January 1978. In accordance with usual practice, the earlier inspection reports have not been released.

The Indonesians have on occasion permitted other inspection visits to detention facilities on Buru Island and other locations. Recent visitors to Buru Island included an Indonesian newsman and a Dutch TV team which made a documentary on the subject. An Australian newsman visited a number of such facilities on Java and Kalimantan in October 1977. Representatives of foreign embassies in Jakarta were invited to attend several of the release ceremonies on December 20, 1977. Foreign and Indonesian newsmen also observed some of the release ceremonies, including those held on Buru Island. The Indonesian Government has stated that diplomatic, press and ICRC representatives may have continuing access to persons who have been released from detention.

Amnesty International released a major and critical report on Indonesia in October 1977, based largely on reports stated to be from sources within Indonesia. In recent years, Amnesty International representatives have been refused access to Indonesia by the government as a result of sharp disagreement over the accuracy of Amnesty International's reporting, especially in regard to the alleged number of political prisoners.

JAPAN

Japan is a parliamentary democracy in which democratic institutions are firmly rooted. Human rights are guaranteed in theory by the Japanese constitution and secured in fact by a just and efficient legal system.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

We are not aware of any instances of torture being committed in Japan.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Freedom from cruel, inhuman, or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice.

d. Denial of Fair Public Trial

The right to a fair public trial is guaranteed by law and respected in practice. The accused are guaranteed a public trial with defense counsel and the right to cross examination. In addition they are protected from self-incrimination and from the application of ex-post facto laws.

e. Invasion of the Home

We do not know of any cases in Japan in which authorities have entered homes without first obtaining a legal warrant, and the standards for issuing such warrants are adequate to guard against arbitrary searches.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Basic human needs in Japan are provided for primarily by the social infrastructure that has grown apace with Japan's economy. Food, shelter, health care, and education are

available widely in good quality, with the government generally acting as the provider of last resort to the needy. Welfare standards are maintained more by the efforts of the private sector than by explicit government policy, for the Japanese employer traditionally assumes a paternal responsibility for the welfare of his employees and their families. Japanese at all income levels share in Japan's prosperity.

3. Respect for Civil and Political Liberties, Including:

- a. Freedom of Thought, Speech, Press, Religion and Assembly

These freedoms are guaranteed by law and respected in practice.

- b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Citizens have the right to change their place of residence, to travel freely both within Japan and abroad, and to emigrate.

- c. Freedom to Participate in the Political Process

All adult citizens share the right to vote, and this right is enjoyed in practice. Vote is by secret ballot. Political interest groups can organize and engage in non-violent political activity regardless of their political hue. Five opposition parties are active, ranging from a Communist party to a moderate conservative party. Labor unions are well organized and play an essential role in bringing workers into the political process. Elections are completely honest and open, and they accurately reflect the public will.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

We know of no requests by any organizations to investigate human rights conditions in Japan.

REPUBLIC OF KOREA

The division of the Korean peninsula and the continuing hostility of North Korea toward the South are pervasive factors in South Korea's existence.

President Park Chung Hee led a bloodless military coup in 1961. He was elected President in 1963. After he declared martial law in 1972, the constitution was substantially revised to concentrate power into the hands of the executive.

South Korea has emerged as a mid-level economic power following several years of impressive economic growth. The Republic of Korea receives U.S. security support which we provide due to U.S. strategic interests in Northeast Asia.

As 1977 drew to a close, the Korean Government announced several significant releases of political prisoners on December 25 and on December 31. One well-known prisoner, Kim Tae-chung, was moved from prison to hospital.

1. Respect for the Integrity of the Person, Including Freedom from:
 - a. Torture

The Amnesty International Mission to Korea in early 1975 reported numerous credible cases of torture during the years 1971-74. Additional reports of torture during 1975 have been cited by Amnesty and the International League for Human Rights. There were few allegations in 1976 of torture. However, during the past year, retired general and national assemblyman Kang Mun-pong stated in court that he had been tortured during interrogation about income tax evasion. Although excesses cannot be ruled out in isolated cases, especially those involving accused espionage agents, we do not believe that torture is now regularly employed in South Korea.

- b. Cruel, Inhuman or Degrading Treatment or Punishment

Persons suspected of distributing anti-government charters or organizing student demonstrations have

sometimes been beaten or threatened with physical abuse. These incidents have usually occurred immediately after apprehension during the interrogation period. Within prison, the physical conditions for political prisoners are considered now to be better than those for common criminals, partly because the two groups are now separated. This contrasts favorably with the Amnesty International report in early 1975 and our information that political prisoners were singled out for especially harsh treatment at that time. Amnesty's 1977 report cites cases of individuals held in solitary confinement and denied medical attention. However, the Embassy has been unable to substantiate allegations that medical treatment was denied to any prisoners mentioned in the Amnesty report. Recently, Kim Tae-chung, former opposition presidential candidate imprisoned since 1976, was transferred from jail to a hospital to receive medical treatment. There have been some instances of solitary confinement.

c. Arbitrary Arrest and Imprisonment

The Korean Government uses "Emergency Measures" authority to effect arrest, detention, search or seizure without warrant. Those measures conflict with international standards with respect to civil and political liberties. Short temporary detention for questioning is used to prevent political activists from carrying out demonstrations or in the hope of halting other anti-government political activities. The 1977 Amnesty report states that arbitrary arrest and harassment has been used against opposition political and religious leaders, teachers, journalists and trade union leaders. Although large numbers of individuals have been apprehended following demonstrations or other incidents in the past, extended imprisonment has occurred only in connection with formal charges and trial for violations of specific laws or emergency decrees. As of late December 1977 we estimate that fewer than 150 persons remained in prison under Korean emergency measures.

d. Denial of Fair Public Trial

Trials are public. There have been credible reports of executive branch pressure on judges in some trials

of a political nature, and of harassment of legal counsel and witnesses for the defense in politically sensitive trials. Under 1974 Emergency Measures (now rescinded) trials were by special military court and were not public. Eight alleged members of the "People's Revolutionary Party" were tried and convicted under those measures and were hanged on April 9, 1975, the day after the Supreme Court upheld their death sentences. Amnesty International concluded that the charges in the People's Revolutionary Party case were "fabricated" and that the case was prosecuted in such a manner as to raise serious doubts as to whether or not those charged received a fair trial. The U.S. Government has never had sufficient evidence to make an independent judgment on the merits of the AI conclusions.

e. Invasion of the Home

Police and security officials may enter and search the homes of suspects without warrant under the provisions of an emergency decree. There are sporadic reports of this authority being used in connection with cases of political dissenters.

2. Government Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The cornerstone of the Korean Government's popular support has been its economic performance, both in stimulating growth and in providing access to the increased wealth by most elements of the society. Per capita GNP has grown from less than \$200 in 1968 to more than \$800 in 1977, and the World Bank has praised the success of the Koreans in maintaining a relatively egalitarian pattern of income distribution, providing widespread and useful educational opportunities, and making available productive employment for a growing labor force (at the same time reducing the population growth rate). Much remains to be done, and public health care, vocational education, labor relations and industrial safety are priority items for the next five-year economic plan. Real income has been rising in the economy as a whole.

South Korea is exceptional among developing countries in its lack of class distinctions, rapid social mobility, use of a merit system in determining access to higher education, and efforts to reduce the disparity between rural and urban incomes.

The government has conducted an intense campaign which has virtually eliminated low-level corruption and significantly reduced it at the higher levels. During 1977 the opposition New Democratic Party conducted a major campaign to expose alleged corruption within the government. President Park has responded with strong admonitions to his cabinet to enforce discipline and honesty, and has supported the publication in the press of the names of corrupt public officials.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

At the heart of the human rights problems in Korea is the restriction of political liberties. The 1972 Yushin Constitution does not provide for the direct election of the president, and constitutional reform is the focus of anti-government critics who charge that the constitution was rammed through the assembly illegally. Emergency Measure No. 9 (EM-9), promulgated March 13, 1975, in accord with the emergency provision of the constitution, prohibits specified political activities, including calls for constitutional revision and criticism of the emergency measure itself, any political activities by students, and the reporting of activities prohibited under the emergency measure as well as the spreading of "false rumors."

In addition, the Korean National Assembly passed laws in 1975 making it a criminal offense to criticize the government to foreigners and providing for political surveillance, limitations on residence, and possible preventive detention for former "anti-state" prisoners.

We believe that more than 500 individuals have been charged at one time or another for violation of the currently enforced EM-9.

In 1976 the courts concluded two especially important trials which dramatically enforced the Emergency Measure No. 9 restrictions on political expression. The Myongdong Declaration case, in which a number of prominent political and religious personalities issued a strong criticism of the regime on March 1, 1976, ended in sentences of up to five years for some of the accused for political activities prohibited under EM-9. The courts also sentenced poet Kim Chi-ha to seven years for violating the Anti-Communist Law (although Kim was already serving a life term for a previous emergency measure conviction). While some criticism of court procedures may be valid, due process under Korean law was observed. Nevertheless, the trial and conviction of individuals on these charges brought under the Emergency Measure were adverse developments for the freedom of political expression in the Republic of Korea.

Since early 1977, the government has for the most part avoided court trials, formal arrest, or long-term detention. Instead, in the face of potential challenge -- especially from the students -- security forces have stepped up surveillance to frustrate efforts to mount significant demonstrations and undertake other political activities. However, some arrests continue to take place.

The most recent signs of possible relaxation include a resolution passed by the Government controlled National Assembly on July 6 requesting that Emergency Measures be lifted and leniency be shown to the Emergency Measure prisoners. This was followed by the parole of 14 EM-9 prisoners on July 17 and 17 more on August 15 who were released after signing a carefully worded statement of regret, the text of which had been negotiated between the Korean Government and Korean human rights and church leaders. In October 1977, the government entered into unprecedented direct discussions with leading dissidents in an effort to work out a plan for release of most EM-9 prisoners.

As 1977 drew to a close, prisoner releases took a significant step forward. Eleven EM-9 violators, including one Myongdong defendant, were released from prison on Christmas Day. On December 31, the ROKG released the

five Myongdong defendants who were still in prison. The only Myongdong defendant who remained in custody was former presidential candidate Kim Tae-chung. Kim had been moved from prison to Seoul National University Hospital December 19 for medical treatment.

Within the past six months, the press, although still under significant restraints, has expanded considerably the dimensions of its discussion of controversial issues, including fuller reporting of national assembly debates and forthright coverage of U.S. congressional hearings related to Korean influence-buying scandals and the subject of Mr. Tongsun Park.

Religious activities are given wide latitude and no restrictions exist on proselytizing by any sect.

Trade union organization is permitted, but unions may not strike. Collective bargaining contracts cover 720,000 workers resulting in better wages and working conditions than their unorganized counterparts. Low wages and long working hours remain continuing problems particularly among smaller, marginal companies. Labor conditions among such companies have drawn sharp attacks from foreign and Korean social critics.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There is freedom of movement within the country. There are some restrictions on foreign travel, for political, security and economic reasons. However, by 1980 the Korean Government hopes its foreign exchange position will permit tourism abroad. The Korean Government has a liberal emigration policy -- e.g., more than 30,000 Koreans emigrated to the U.S. in 1976.

c. Freedom to Participate in the Political Process

There is universal suffrage for adults over 20. The only directly elected officials in Korea are two-thirds of the national assembly representatives. Most effective power is centralized in the Office of the President. He appoints one-third of the national assembly membership, the prime minister and cabinet, and may suspend individual rights by decree.

Since World War II, national assemblymen have generally had very high prestige in Korea. Following the introduction of the present Yushin Constitution in 1972, however, the public has correctly perceived the reduced influence and independence of the national assembly and the prestige of assemblymen has declined correspondingly. However, the 1977 assembly session witnessed a marked revival of active debate and criticism of government policies. Grass roots exchanges between the people and the bureaucracy take place through an extensive system of village councils and self-help projects.

4. Government Attitudes and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Korean Government has allowed a number of outside human rights groups to visit and interview opposition figures with few formal restrictions. Amnesty International sent a mission to Korea in early 1975. Newsmen also have freedom of movement within South Korea. The government has not allowed interviews with persons actually in prison, and investigating groups have complained that those whom they have met have sometimes been harassed and questioned by government officials.

MALAYSIA

Malaysia is governed under a parliamentary system modeled generally along British lines. A national front coalition of parties dominates parliament at the present time. There is a small but vocal opposition which criticizes the government regularly. Free and honest elections are held at intervals of no longer than five years. A multi-racial society of politically dominant Malays and economically involved Chinese and Indians, Malaysia has experienced severe communal violence in its past including racial rioting in May of 1969 during which hundreds were reported to have died. Malaysia has been engaged in an armed struggle with the Malayan Communist Party (CPM) since 1948. The insurgency has included assassinations and acts of terrorism as well as guerrilla warfare. Communist insurgency and the threat of renewed communal conflict have been cited by the Malaysian Government as justification for legislation which makes legal the arrest and detention without trial of persons suspected of subversive activity or of other activities that threaten general civic order.

Over the past twenty years of independence, and despite the demands posed by the communist insurgency, Malaysia has made major economic strides and social progress with the result that it is one of the more prosperous countries in Asia.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture is neither practiced nor condoned by the Government of Malaysia.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Cruel, inhuman or degrading treatment is neither practiced nor condoned by the Government of Malaysia but individual instances of mistreatment by civil law enforcement officers occasionally occur.

c. Arbitrary Arrest of Imprisonment

Arrest and imprisonment have occurred without benefit of

trial or the right of habeas corpus. The presence of the CMP threat and racial tensions have been cited by the government as justification for the perpetuation and use of emergency regulations originating under the British. These regulations legalize arrest and detention without open trial of persons suspected of subversive activity or other actions detrimental to the domestic tranquility of the country. The regulations, known as the Internal Security Act (ISA) and the Emergency (Public Order and Prevention of Crime) Ordinance, 1969, (E.O.), provide for preventive detention for up to two years. A detention order under the ISA can be renewed. A person detained under the emergency laws has no recourse to the courts in the ordinary sense, but as soon as possible after arrest must be told the reason and given a chance to argue the case. If detention is contested, it must be heard within three months by a three-man advisory board. If the detention continues, the case is periodically reviewed by the Appeals Board. In most cases, the use of the Internal Security Act appears to follow a cycle of arrest, detention, recantation and restoration to public respectability. The Emergency Ordinance, while enacted in the wake of the May 1969 racial disturbances, has in practice been most often used against narcotics traffickers and other serious criminals in the absence of strong conspiracy laws. The normal pattern for enforcing the E.O. is two years imprisonment followed by two years of "restricted residence" in a remote area of the country.

In addition to the ISA and E.O., the government also makes use of the Emergency (Essential Powers) Ordinance of 1969. This is the enabling legislation for the Essential (Security Cases) Regulations of 1965, which restrict the rights of the accused in "security case" trials by allowing in-camera trial, unidentified witnesses and a presumption of guilt.

The Amnesty International Report of 1977 states that several hundred men and women are being held without trial for political reasons, many having been held for periods of eight and, in some cases, thirteen years. While several hundred people are known to be detained in Malaysia, only a few are believed to be held on political, as contrasted with security and criminal, grounds.

d. Denial of Fair Public Trial

Public trial and a fair hearing occur in all but a small

minority of cases. As previously noted, persons detained for security reasons and certain types of criminals are held and provided hearings under special procedures outside the ordinary court system (see l.c.).

e. Invasion of the Home

Freedom from invasion of the home is the general rule, with the exception of cases related to security legislation. In its counter-insurgency effort against the Communist Party of Malaya, the Government of Malaysia makes extensive use of its powers under the Internal Security Act to enter and search the homes of suspects.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Over the past twenty years of independence, and despite the demands posed by the communist insurgency, Malaysia has made tremendous economic strides with the result that it is one of the most prosperous of the developing countries (third in all East Asia in per capita GNP, after Japan and Singapore). It has amply demonstrated its concern for raising the standard of living of all citizens as well as conducting what amounts to a coalition government along communal lines. Alleviation of rural poverty in all its aspects is the main thrust of the Third Malaysia Plan announced in mid-1976 and logically follows earlier developmental efforts which concentrated on the broadening of essential services and industrial infrastructure. Active government programs exist to improve health care, education, housing and rural nutrition.

3. Respect for Civil and Political Liberties Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Tensions between ethnic Malay and Chinese citizens resulted in race riots in 1969 and the suspension of parliamentary democracy for two years. Since then, certain "sensitive" topics related to ethnic origins or privileges may not be discussed in public or in parliament.

A state of emergency was proclaimed during the communal rioting in accordance with existing law and continues to be in effect. The Emergency Laws are designed to reduce the risk of communal violence by forbidding any public exacerbation of racial tensions.

The press as a consequence is constrained. The activities and statements of opposition political figures and domestic politics are reported. While there is no formal censorship, other than the constitutional prohibitions against discussion of certain ethnically loaded topics, the press is circumspect in its treatment of the government and is mindful of the need for annual renewal of publishing licenses.

While Malaysia is officially Muslim the government does not discriminate against other religious faiths.

The Malaysian Government permits normal trade union activity although labor legislation does circumscribe union behavior. There are around 350 trade unions with a total of about 500,000 members. Most of the unions are members of the Malaysian Trade Union Congress, an active member of the International Confederation of Free Trade Unions. The freedom to strike exists and is used.

b. Malaysia in general observes freedom of domestic and foreign movement, including emigration. However, freedom to travel between Peninsular Malaysia and the Borneo states of Sabah and Sarawak is constitutionally subject to control by the federal and state governments. Persons wishing to travel abroad must obtain passports which have been denied in a few cases.

c. Freedom to Participate in the Political Process

Malaysia is a parliamentary democracy generally along the British model, with a prime minister and cabinet responsible to parliament. The head of state is a constitutional monarch, a king who is elected for a five-year term by the Sultans of West Malaysia from among their own members. The bicameral parliament consists of a senate (with both appointed and elected members) and an elected house of representatives, where a small but vocal opposition criticizes the government regularly. Legislative power is further divided between federal and state legislatures. State executive administrations

attend to matters of local concern. Free and honest elections on the basis of universal adult suffrage are held as specified by the constitution. Domestic political life is vigorous within the constraints of the communal basis of politics, including some restrictions on political expression.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights.

The Department is not aware of any requests to investigate human rights conditions in Malaysia. The cases of several individuals detained in Malaysia without trial have been raised in the U.S. and elsewhere. Malaysian newspapers report on violations of legal standards and act as informal ombudsmen--as does the opposition within the Malaysian Parliament and the very active bar association.

NEW ZEALAND

Respect for human rights in New Zealand parallels that in the United States. Democratic traditions are firmly rooted. All citizens have basic rights guaranteed by Common Law and observed in practice.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture is unknown.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Freedom from cruel, inhuman or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice.

d. Denial of Fair Public Trial

The right to a fair trial by jury is guaranteed by law and respected in practice.

e. Invasion of the Home

There are effective legal safeguards against arbitrary invasion of the home.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

New Zealand was a pioneer in providing by law for general family welfare, health care, disability payments, dependent children benefits and old age stipends. There is universal public education.

3. Respect for Civil and Political Liberties,
Including:

a. Freedom of Thought, Speech, Press, Religion
and Assembly

These freedoms are protected by law and respected in practice. There is a free and vigorous press, and demonstrations are a common and recognized form of political activity. Accusations have been made by sections of the New Zealand populace that discrimination against the small minority groups of Pacific Islanders exists. This discrimination, which is illegal, tends to be cultural and social rather than political. The government is taking steps to eliminate any instances of discrimination which can be found. There is a free labor movement.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

There are no political or legal barriers to domestic or foreign travel, including emigration. New Zealand residents when travelling overseas are allowed, exclusive of prepaid airline and hotel expenses, to take with them \$1,000 for each month of their trip, up to a maximum of \$4,000. New Zealand residents who are emigrating are allowed to export all assets.

c. Freedom to Participate in the Political Process

Freedom to participate in the political process is guaranteed by law and respected in practice.

4. Government Attitude and Record Regarding International
and Non-Governmental Investigation of Alleged
Violations of Human Rights

We are not aware of any requests for independent, outside investigations into human rights conditions in New Zealand.

THE PHILIPPINES

The Philippines, a former colony of the United States and the only predominantly Christian nation in Asia, has been governed by President Ferdinand Marcos under martial law since 1972.

In his proclamation of martial law, President Marcos referred to the serious threat of insurrection and subversion. A Maoist-oriented insurgency has been active for many years in seven areas. More recently, the Muslim insurgency in Western Mindanao and the Sulu Archipelago has arisen as the more serious problem.

Martial law was announced as a temporary measure to restore order, and it initially had that effect. However, it has resulted in the suspension of democratic forms of government and in the severe curtailment of human rights of individual citizens. Within recent months, the Government has relaxed some aspects of martial law, released some political detainees, and has announced its intention to hold some form of parliamentary election in 1978, but no real steps have yet been taken toward the restoration of democratic government or the elimination of the more severe intrusions on individual rights.

1. Respect for the Integrity of the Person, Including Freedom From:

a. Torture

Several organizations -- including Amnesty International, the Association of Major Religious Superiors in the Philippines, and the International Commission of Jurists -- have investigated the Philippine situation and reported evidence of torture, largely by special internal security units during pre-detention interrogation. The alleged torture is reported to have included such methods as water treatment, electric shock, long isolation and physical beatings, leading in at least one case to death. Torture is reportedly not employed after the initial interrogation.

We have no reason to doubt the authenticity of the conclusions of the above-mentioned reports but note that there is evidence that the frequency of the practices cited in these reports is on the decline.

b. Cruel, Inhuman, or Degrading Treatment or Punishment

Physical conditions in many jails are described by observers as poor. The House Subcommittee on International Organizations reported in July 1977 its conclusion after "extensive testimony" that some political prisoners have been subject to "cruel, inhumane, and degrading treatment."

c. Arbitrary Arrest or Imprisonment

Since the institution of martial law there have been many instances of prisoners being detained without charge or trial, in some cases for more than five years. The great majority of persons detained for security reasons at the outset of martial law were released within a few months. Releases of known detainees have continued to the present time, the most recent being President Marcos' order of December 24, 1977, for release of 858 detainees. Estimates of the number of persons still under detention vary widely. On June 3, 1977 President Marcos stated publicly that the total number of persons under military detention at that time was 4,764, of whom 3,913 were being held for violations of the criminal code and 598 for security or political offenses, such as rebellion, treason or subversion. During the ensuing three months the Philippine Government announced that a total of 3,068 detainees had been ordered released. The number of those released who fell within the security category is unknown but we believe it to be small. There are probably no more than 500 political prisoners still in custody.

The Philippine Government maintains that habeas corpus remains available. But the writ, as generally understood in international practice, is not effectively available to persons detained by the regime for security reasons.

d. Denial of Fair Public Trial

Most criminals continue to be tried in regular civilian courts and receive fair, public trials, but military tribunals still may have jurisdiction

in politically sensitive cases. The few such cases actually brought to trial have been open to the public. Most prisoners accused of security or political offenses usually have been provided access to their families from early in their detention. Access to lawyers has been considerably more restricted. However, once such a prisoner has been charged to be tried by a military commission the system provides that a judge advocate is appointed as defense counsel unless the prisoner employs his own attorney.

On June 24, 1977, President Marcos issued two general orders pertaining to the jurisdiction of military tribunals. General Order 59 transferred from military to civilian courts jurisdiction over all cases except those involving national security, illegal possession of firearms, or crimes committed by members of the armed forces. It also transferred to civil courts all cases in which the accused had not been arraigned as of June 24. It provides, however, that the president may still refer any case to a military tribunal if it is in the national interest. General Order 60 of June 24, 1977, limited the authority of the Secretary of National Defense to issue arrest, search and seizure orders to offenses over which military tribunals have exclusive jurisdiction but General Order 62 of October 22, 1977, returned to the Secretary authority to arrest and detain civilians for a number of non-security-related crimes.

The President also issued decree 1165 which amends the appellate procedure in military tribunals and general court martial cases. It provides that decisions of the Court of Military Appeals may be appealed to the Philippine Supreme Court. Review by the Supreme Court shall be limited to questions of law, except where the accused is charged with offenses punishable with death or life imprisonment, in which case the review may be on questions of law and fact. In December 1977, the Supreme Court ordered a halt to military tribunal proceedings against Senator Benigno Aquino while the issue of the military tribunal's jurisdiction was being decided.

All members of the judiciary submitted letters of resignation at the outset of martial law. The

President may accept these resignations at any time. The Supreme Court has upheld President Marcos' position in all cases challenging his martial law powers, although these decisions have not been unanimous.

e. Invasion of the Home

The Philippine Constitution of 1973 provides that the right of the people to be secure in their persons, houses, papers and effects from unreasonable searches and seizures shall not be violated and that search warrants shall be issued only upon probable cause as determined by a judge. Under martial law, however, this protection has been ignored in many instances. ✓

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The rights to food, shelter, health care and education in the Philippines are limited by the economy's ability to provide the necessary goods and services to all, the long-established inequitable distribution of the social and economic product, and traditional patterns of corruption. Education is widely available up to and including the secondary school level, and educational opportunity is a major factor in a remarkably unrestrained vertical mobility within the society.

The Philippine economy is basically agricultural with growing industrial capability and developing service industries. Governmental development programs have concentrated on population programs, on improving agricultural production and on land reform, leaving industry, mining and large-scale agriculture in corporate hands. Assistance to agricultural production has been reasonably effective. The government's land reform program has registered considerable progress during the past five years.

Significant gains have been made during the past five years in providing the rural infrastructure needed to support increased agricultural production and to

improve the quality of life in rural areas.

Philippine Government data show per capita GNP as having increased from \$260 in 1972 to \$410 in 1976.

Some significant benefits to Philippine labor unions and workers have resulted from the new labor code and subsequent presidential decrees, although in the absence of political parties the approved avenues for solutions to problems in the labor movement are limited almost entirely to government channels. In the October 15, 1976 referendum on continuation of martial law, President Marcos has the strong support of the Trade Union Congress of the Philippines, which issued a manifesto on the benefits derived from martial law.

Government policy has been to encourage private foreign investment in most manufacturing fields, extractive industries, and some service and agricultural fields.

Modest improvements in the health status of the population are reflected in significant increases in life expectancies and declines in infant mortality rates between 1970 and 1976. Population pressure is a serious constraint on both present and future productivity. Government efforts in the family planning field have been remarkably extensive and persevering.

Corruption has been a continuing and debilitating aspect of the economic structure, diverting resources from the poor.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Freedom of thought, as distinct from freedom of expression, is not limited in the Philippines. While some minor pressures are directed at the population to demonstrate endorsement of Government policies, little effort is made to enforce conformity of thought. Freedom of expression, on the other hand, is controlled by a variety of means. "Free debate" periods

have been declared prior to the various referenda held during martial law, and opponents of the regime have used these periods to express their views, although little of this criticism has been carried in the Government-controlled media. The mass communications media have been purged of critical or independent voices.

Churches are open for worship and religious freedom is generally respected. Members of religious organizations have not been harrassed or imprisoned for either doctrinal belief or ceremonial observance, but the government has taken actions (including arrests) against some members of the clergy for their involvement in political activities.

The Government has not actively abridged freedom of assembly and association, even for many of its outspoken critics. It has allowed them to hold some small rallies and peaceful assemblies, which receive little or no media coverage. However, it has often refused to permit meetings of its political opponents. Unauthorized demonstrations are regularly broken up by police when crowds become large or demonstrators stray from the few areas in which rallies are tolerated.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Domestic freedom of movement is basically unimpaired. There are some restrictions pertaining to certain areas of Mindanao and the Sulu Archipelago, where the Muslim insurgency has been most active. Travel restrictions are sometimes placed on former political prisoners released on parole. In August 1977, the martial law curfew (midnight to 4:00 a.m.) was lifted throughout the nation except for certain areas of insurgent activities. Also, in August 1977, the general restrictions on temporary travel abroad by Philippine citizens were lifted. However, politically suspect individuals must still undergo thorough, time-consuming security checks, whether their purpose in travelling is tourism, business, or emigration. There is no general restriction on emigration.

c. Freedom to Participate in the Political Process

Since the declaration of martial law in the Philippines in September 1972, numerous civil rights previously in effect have been restricted. The legislature has ceased to function and has yet to be replaced with any effective representational institutions. Popular election of local government officials has been supplanted by presidential appointment. These officials have become, in effect, extensions of central authority.

President Marcos assumed legislative powers and has ruled by decree, assisted by his civilian cabinet and the armed forces. Under martial law powers, local assemblies (called barangays) comprised of all voters at the precinct level were established. Barangay officers have been utilized at the lowest level of public officialdom. The former elected municipal, city and provincial councils have been replaced by councils made up of selected barangay officials. Political parties while not outlawed (except for one of two communist parties), have been inactive and have effectively disappeared.

There is universal suffrage in the Philippines. Since the imposition of martial law, the government has on five occasions held referenda on issues of public policy, including amendment of the constitution, with the population voting either by public meetings of the barangays or by (sometimes serially numbered) "secret ballots". During the "free debate" periods immediately preceding these referenda, authorized oppositionist groups were allowed to hold public rallies, given equal time on radio and television to debate referendum issues, and allowed to distribute propaganda materials, provided authorship of the materials was identified. All referenda, including one on December 17, 1977, to affirm President Marcos' in office, resulted in overwhelmingly affirmative votes. In view of the lack of alternatives in each balloting, it is understandable that the referenda were all denounced by opponents of the regime and viewed with skepticism by outside observers.

As a step toward the restoration of representative government, the Philippine Government is now making preparations for holding an election on April 2, 1978, to elect an interim national assembly. The government is encouraging opposition candidates to participate in the election campaign, although . . . have already said they will not do so. Following the convening of the interim national assembly, the government has stated that it plans to move towards a modified presidential-parliamentary form of government in which daily executive leadership would be provided by a prime minister while the role of the president would become primarily ceremonial.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Philippine Government has cooperated with foreign visitors interested in the status of human rights in the Philippines. Teams from the International Commission of the Red Cross (ICRC) inspected Philippine detention centers in March 1973, November and December 1975, and issued a critical report in September 1976. Representatives of the International Commission of Jurists (ICJ) visited the Philippines in 1975 and 1977, and issued a report on August 3, 1977 critical of the treatment of civil and political rights. The Philippine Government has also welcomed various U.S. Congressional visitors interested in human rights matters and has facilitated their contacts with oppositionists and detainees.

SINGAPORE

Singapore is governed under a parliamentary system modeled generally along British lines. Members of Parliament are elected to maximum five-year terms on the basis of universal adult suffrage. The People's Action Party (PAP) completely dominates the Parliament, having carried all 69 seats in the 1976 election. The government enjoys broad popular support; its civil service is efficient and honest, and its leadership free from corruption. In economic and social matters, its record of enhancing the material well-being of all its citizens is excellent.

A multiracial society with a dominant majority of Chinese but having both Malay and Indian minorities, Singapore has experienced communal tensions in the past. It has also been subject to acts of terrorism by elements of the Communist Party of Malaya.

The Government of Singapore cites both the threat of insurgency and the possibility of renewed communal conflict as justification for emergency legislation which makes legal the arrest and detention without trial of persons suspected of subversive or other activities that threaten general civic order.

1. Respect for the Integrity of the Person, Including Freedom from:

- a. Torture

Torture is not condoned by the Government of Singapore. However, an Amnesty International report dated February 1976 cites allegations that internal security detainees are subjected to intensive questioning in cold air-conditioned cells and forced to do strenuous exercises resulting in strain and fatigue. It is difficult to verify such reports.

- b. Cruel, Inhuman or Degrading Treatment or Punishment

We are unaware of any instances of such treatment or punishment by the government (unless one were to so define caning, which was introduced by the British and is still employed as a punishment for certain crimes).

The death penalty exists in Singapore but executions are rare.

c. Arbitrary Arrest or Imprisonment

The government makes recurring use of detention without trial in security and some criminal cases under the Internal Security Act (ISA) and the Criminal (Detention) Law.

The Internal Security Act is a preventive detention statute inherited from the British colonial administration. Its use is justified by the Government of Singapore in connection with the Communist Party of Malaya (CPM) which is active both in Malaysia and in Singapore. The CPM maintains an operational capacity in Singapore where it recruits cadre for its armed insurgency in Malaysia. In the application of the ISA, however, the definition of a "security case" has been extended to include at times the following categories of individuals: those who have had contact with communism and some elements of the radical left but who are not necessarily themselves supporters of violent revolution; those who portray Singapore as a state in which individual liberties are curtailed or the Singapore Government as undemocratic, totalitarian, autocratic and "oppressive"; and those journalists whose reporting is considered by the Government of Singapore to be slanted and therefore capable of being exploited by communists.

The Internal Security Act permits the issuance of a two-year renewable detention order which is subjected to automatic review at 12-month intervals. Prime Minister Lee has acknowledged publicly that the 12 persons currently being detained for long terms have not been released because they refuse to abjure either forceful overthrow of the government or support of the CPM.

Perhaps 200 persons, approximately 70 of whom are believed to be narcotics traffickers, are detained under another law, the Criminal Law (Temporary Provisions Act), which is designed for use and used mainly against members of criminal secret societies and

narcotics traffickers. These may be a few persons held for security reasons within that group. A written order for temporary detention for one year may be issued by the Home Minister. Each order must be reviewed within 25 days by an advisory committee which is required to submit a written report to the President.

d. Denial of Fair Public Trial

The Singaporean judicial system operates in accordance with the basic tenets, practices, and precedents of British jurisprudence. The right to a fair, public trial is generally observed, except for persons detained under the Internal Security Act and the Criminal (Detention) Law.

e. Invasion of the Home

Freedom from invasion of the home is observed except as to persons arrested or detained under the Internal Security Act and Criminal (Detention) Law. In other cases, the Singapore authorities can easily obtain a search warrant and do so before entering and searching a dwelling place.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Singapore's record in fulfilling the basic needs of its people is remarkable by any yardstick and has received global acclaim. The government has an image of rigid honesty and has enshrined the work ethic for itself and its citizens (over half of whom are housed in well-designed apartments which the government has built largely over the last decade). The standard of living has risen steadily and has become the second highest in Asia, after Japan. There is virtually no illiteracy and both medical care and education through the university level are of high quality. Even during the recessionary period earlier in the decade, Singapore maintained a steady and impressive net economic growth. Singapore currently has an unemployment rate of slightly less than four percent. The economy is essentially based on free

enterprise. In economic and social matters, Singapore's overall record of providing for the material well being of its citizens is among the best in the world.

3. Respect for Civil and Political Liberties

a. Freedom of Thought, Speech, Press, Religion and Assembly

Singapore, although preponderantly Chinese, is a multi-racial society. There is freedom of religion. However, freedom of thought, speech, press and assembly are curtailed in several important areas. First, like neighboring Malaysia, Singapore forbids activities or public statements which might arouse communal tensions between the different ethnic groups in the multiracial society, especially friction between the dominant Chinese and the Malay minority. The government has invoked the Internal Security Act to arrest and detain two persons accused of arousing communal tensions. Communist political activities are proscribed. The government thus promptly detains suspected communist activists under the Internal Security Act. Lastly, the definition of "security cases" is sufficiently broad that it has the effect of tending to stifle dissent.

Singapore has approximately 210,000 workers organized into trade unions. Some 200,000 of these belong to the National Trade Union Congress which is informally but closely associated with the ruling People's Action Party (PAP). Several of the top leaders of the NTUC are members of parliament.

b. Freedom of Movement within the Country, Foreign Travel and Emigration

To the best of our knowledge, freedom of movement, foreign travel, and emigration are not constrained by the Government of Singapore.

c. Freedom to Participate in the Political Process

Singapore is a republic with a parliamentary system of government organized along British lines. The government is controlled by the People's Action Party headed

by Prime Minister Lee Kuan Yew. Membership in the PAP is open to non-communist Singaporeans of any race. Non-communist, non-racist parties are free to organize but no opposition representatives were elected to the present parliament. Members of parliament, which consists of 69 members, are elected to maximum five-year terms on the basis of compulsory universal adult suffrage.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

In general, Singapore rejects foreign criticism. For example, Prime Minister Lee Kuan Yew withdrew the People's Action Party from the Socialist International when one of the other member parties criticized Singapore's use of the Internal Security Act. The Department is not aware of any requests to investigate human rights concerns in Singapore.

THAILAND

The present Thai Government assumed control in October 1977, one year after the October 1976 coup. The government, headed by Prime Minister (and General) Kriangsak Chamanan, has civilian and military ministers, and is responsible to a group of senior military officers. It operates under authority of an interim constitution, signed by the King of Thailand, which establishes an appointed national assembly to write a permanent constitution and which calls for national elections no later than April 1979.

While the government's long-term performance is not proven, its initial months have been marked by emphasis on national reconciliation and improvement of the human rights problems which existed between October 1976 and October 1977. There is greater civil liberty, including a partial renewal of trade union activity, greater freedom of the press, and increased respect for judicial due process. There has been an acceleration of the schedule for an elected government from 1988 to late 1978 or early 1979. Nevertheless, certain authoritarian practices remain, including temporary detention without trial, which the government claims is justified by the political turmoil of recent years and the continuing communist insurgency.

Thailand has a relatively open social and economic system, with full respect for religion and considerable freedom of the individual. It also has a history of tolerance and hospitality for scores of thousands of refugees from the neighboring communist countries of Indochina.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

We are unaware of any reports of torture in Thailand.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Recent Thai governments, including the Thanin Government (October 1976-October 1977), have not followed policies which permitted cruel, inhuman or degrading punishment.

Several of the students and activists who were arrested and subsequently released following the student-police confrontation at Thammasat University on October 6, 1976 have claimed they were subjected to harsh treatment (e.g. beatings) in the period immediately following their arrest. These charges have not been substantiated by the Department of State or, to our knowledge, by other sources including human rights organizations. The 18 students and activists who have had charges filed against them for their role in the Thammasat affair have been visited by representatives of the International Committee of the Red Cross and the International Commission of Jurists.

c. Arbitrary Arrest or Imprisonment

On October 6, 1976 Prime Minister Seni Pramot, head of the last democratically-elected government, ordered the arrest of a group of students at Thammasat University. The resulting police-student confrontation left 40 dead and approximately 3,000 persons, mostly students, arrested. All but 19 have now been released. A military court is hearing charges against 18 of the Thammasat group. The nineteenth is being tried for lese majeste by a civilian court.

One of the early decrees issued by the military leadership that seized control of the government after the October 6 violence was martial law Order Number 22. This decree allows for detention without trial for 30 days and further "vocational training" indefinitely. Order Number 22 specifies nine categories of offenders, six of which involve criminal activity (e.g. intimidation, vagrancy, illegal possession of weapons, illegal gambling, prostitution, hoarding, usury) and three categories potentially involving political conduct (instigating confusion, advocating political systems other than those headed by the King and labor strikes). Of the several thousand who have been detained under Order Number 22, most are held for short periods of time before release, and all cases are reviewed regularly. Apparently some of those released have been subsequently rearrested. Approximately 800 remain in detention. Fewer than 100 of the detainees are being held under the political provision of Order Number 22. No members of the previous democratically-elected government or the Thanin Government have been

arrested or detained. The new leadership has indicated that Order Number 22 still remains in force.

d. Denial of Fair Public Trial

Except for the provisions of Order Number 22, Thai citizens continue to enjoy presumption of innocence and have access to courts or administrative bodies in order to redress perceived violations of their rights under law. Thai citizens receive fair public trials. Under the provisions of martial law, however, those accused of certain categories of crimes related to national security must be tried by a military court. Certain procedures under military court regulations are not in accord with commonly accepted judicial guarantees. The International Commission of Jurists has stated that the Thammasat 18 should receive minimum judicial guarantees including the right to a defense lawyer and the right to appeal which they did not have under military court procedures. The new government on November 9 amended the Military Court Act to permit defendants the right to legal counsel.

e. Invasion of the Home

To our knowledge, the privacy of the home is generally respected by the Thai Government. Search warrants are required under Thai law. There may be occasions when legal procedures are not properly followed.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

There have been effective public education, agricultural development, low income housing and health care programs. The new leadership has stated that it intends to make efforts to upgrade the standard of living of Thai farmers. The Government is committed to decreasing the disparity between urban and rural income, partly through low interest agricultural loans.

Corruption is an endemic problem in Thailand as in many countries. The extent to which corruption in Thailand may divert resources from the poor is unclear.

3. Respect for Civil and Political Liberties, Including:
 - a. Freedom of Thought, Speech, Press, Religion and Assembly

The broad provisions of Order Number 22 which contain general prohibitions against "instigating confusion", advocating political systems other than those headed by the King, and striking by organized labor entail restrictions on freedom of thought and speech. Most Thai are cautious lest they violate Order 22. Nevertheless, private discussions of a political nature remain generally uninhibited. The Kriangsak Government has dissolved the formal mechanism used by the Thanin Government to restrict the Thai press, but has indicated that there should be "constructive cooperation" between the press and Government. Some self censorship exists. Freedom of religion is practiced throughout Thailand. Meetings of over five persons were barred by the previous Thanin Government. An important effect of this regulation, as well as a legal ruling which declared state enterprise unions to be illegal, resulted in a severe restriction on organized labor activity. These restrictions remain in effect at the moment. However, the new prime minister has expressed his intention to listen seriously to organized labor. For example, Prime Minister Kriangsak has met labor leaders and expressed support for inclusion of state enterprise unions under the Labor Relations Act of 1975 and for registration of the Labor Congress of Thailand as a legally recognized labor council.

- b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Restrictions on entry into rural base areas used by Communist insurgents are the only limitations on travel in Thailand. There are no restrictions on foreign travel or emigration.

- c. Freedom to Participate in the Political Process

The Kriangsak Government was appointed following a coup d'etat by senior Thai military commanders on October 20, 1977. Political parties remain illegal, although most former political party leaders retain their former

party contacts and are identified in the public mind as leaders of political groupings. The government tacitly recognized this when it named seven leaders of former major parties to serve on the Constitutional Drafting Committee. The new leadership has declared its intention to hold general elections no later than April 1979. The form of these elections has not yet been specified.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

We are not aware of any requests by outside organizations to investigate human rights conditions in Thailand. Specific requests to visit individual prisoners have been granted by the Thai Government.

EUROPE AND NORTH AMERICA

AUSTRIA

Austria, a neutral and Western-oriented society, attaches vital importance to human rights. It is a parliamentary constitutional democracy. The Austrian constitution and Austrian State Treaty of 1955 define and guarantee basic human rights concerning the integrity of the person and civil and political liberties. Austria's record since regaining sovereignty in 1955 has been exemplary. Austria is well known for its assistance to refugees from other countries, many of whom have settled there, and for its important role in facilitating transit of Jewish emigrants from the Soviet Union.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Freedom from torture is guaranteed by law and respected in practice.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Freedom from cruel, inhuman or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice.

d. Denial of Fair Public Trial

Fair public trial is guaranteed by law and respected in practice.

e. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Austria has a highly developed social welfare system, and the distribution of wealth is more equitable than in most countries. Government, labor and management cooperate well in a so-called "social partnership" which has been effective in avoiding serious labor-management disputes. Austria's socialist govern-

ment places heavy emphasis on maintaining and improving health, education and social services.

The Austrian State Treaty (Article 7) states that Slovene and Croatian minorities shall enjoy the same rights on equal terms as all other Austrian nationals and inter alia grants to them the right to educational instruction in their own languages at the elementary school level and to a proportionate number of secondary schools. Interpretation and implementation of these rights has been a subject of controversy. The Austrian government has recently enacted and started to implement legislation which it hopes will fulfill Austria's obligations under the State Treaty.

3. Respect for Civil and Political Liberties, including:

- a. Freedom of Thought, Speech, Press, Religion and Assembly

These freedoms are in full effect.

- b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There is complete freedom of movement within and from the country.

- c. Freedom to Participate in Political Process.

This freedom is in effect.

4. Government Attitude and Record Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

There have been no investigations of Austria's human rights record. To our knowledge, there have been no requests for them.

BELGIUM

Belgium is scrupulous in observing internationally recognized human rights. Belgium has a long tradition of respect for human rights, and change in that respect is not anticipated.

1. Respect for the Integrity of the Person,
Including Freedom from:

a. Torture

Freedom from torture is guaranteed by law and respected in practice.

b. Cruel, Inhuman or Degrading Treatment or
Punishment

Freedom from cruel, inhuman or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice.

d. Denial of Fair Public Trial

Fair public trial is guaranteed and provided.

e. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Belgium enjoys a high per capita income and is one of the most affluent countries in Europe. The government pursues policies to ensure that these benefits are distributed equitably throughout the economy. Belgium pursues a liberal wage and social

benefit policy. There is a relative absence of class distinction, and a common educational system serves all economic levels.

3. Respect for Civil and Political Liberties,
Including:

- a. Freedom of Thought, Speech, Press,
Religion, and Assembly

These freedoms are in effect.

- b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Freedom of movement within the country, foreign travel and emigration are in effect.

- c. Freedom to Participate in the Political
Process.

Belgium is a parliamentary democracy under a constitutional monarchy. Political life is carried out in a highly democratic fashion. Labor is free to organize, and the labor movement is well-developed.

4. Government Attitude and Record Regarding
International and Non-Governmental Investiga-
tion of Alleged Violations of Human Rights

The Belgian Government's willingness and past record regarding independent, outside investigation of alleged human rights violations is exemplary. Specifically, the Belgian Ministry of Foreign Affairs in January 1977 circulated in the UN a proposal that countries should waive voluntarily the right, conferred on them by article 6(B) of resolution 1503, not to consent to the carrying out of an investigation concerning human rights.

CANADA

The Canadian record in protection of human rights is one of the finest in the world and a source of considerable pride for most Canadians. The government and the vast majority of Canadians are anxious to guard against violation of civil rights and injustices. Parliament, press, and public opinion are quick to react when it appears there has been a real or imagined infringement of human rights in Canada.

Canadians are outspokenly critical of other nations where human rights may be violated, and the Canadian Government reflects this viewpoint. Canada is a staunch supporter of UN resolutions and declarations concerning human rights and has willingly accepted large numbers of persons from nations whose reputation for human rights is less well established.

1. Respect for the Integrity of the Person; Including Freedom from:

a. Torture

Freedom from torture is guaranteed by law and respected in practice.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Freedom from cruel, inhuman or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice.

d. Denial of Fair Public Trial

Fair public trial is guaranteed and provided.

e. Invasion of the Home

The home is protected by law from invasion.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Canada has well-developed and extensive social welfare, health care, and education programs, both on the federal and local level.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

These freedoms are in effect.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There is freedom of movement within the country, foreign travel and emigration.

c. Freedom to Participate in the Political Process

Canada is a constitutional monarchy with a parliamentary form of government. The democratic tradition is very strong in Canada, elections are orderly and governments stable.

French Canadians have complained from time to time that they are discriminated against in Canada. There have been problems in ensuring fully equal political and economic opportunities throughout Canada for the cultural and linguistic minority of Francophone Canadians, but the Canadian government is deeply committed to this principle and places high priority on seeing that it is carried out.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

Canada's human rights performance is sufficiently good that to our knowledge there have been no outside requests for investigations.

CYPRUS

Perhaps more so than elsewhere, human rights questions in Cyprus cannot be treated in isolation from political considerations. As a consequence of past intercommunal troubles and the events of 1974, they constitute an integral element of the Cyprus problem and will no doubt figure largely in any settlement ultimately reached between the two Cypriot communities.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There are no indications that torture is currently permitted or practiced by the Government of Cyprus, the Turkish-Cypriot administration, or Turkish forces in northern Cyprus.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There have been no recent instances of large-scale or politically-inspired cruel or inhuman treatment of persons on Cyprus. It is generally accepted, however, that violations of human rights in the form of cruel and inhuman treatment of civilians and prisoners were committed in the course of the Greek-led coup against President Makarios in July 1974 and during the subsequent Turkish military intervention. These were less a reflection of deliberate governmental policy than a consequence of the scale and intensity of the fighting and of the longstanding antagonisms within and between the two communities on the island. Turkish-Cypriot enclaves not occupied by Turkish troops were reportedly attacked by Greek-Cypriot forces; subsequently mass graves of executed Turkish-Cypriot villagers were discovered.

For their part the Greek-Cypriots have charged that the Turkish troops who intervened in 1974 engaged in massive and systematic murder, rape, and inhuman treatment of prisoners. As a consequence of the world-wide attention that these charges attracted, and in response to a Greek-Cypriot petition, the Council of Europe instructed its Commission on Human Rights to undertake an investigation of Turkish actions in 1974. The Commission's report, completed early in 1977, found Turkey responsible for six violations of the European Convention on Human Rights.

The Turks subsequently submitted a lengthy rebuttal that claimed that Greek-Cypriots violated Turkish-Cypriot rights on a massive scale during the 1963-64 period. The Council of Europe has declined to endorse the Commission's findings against Turkey, simply noting in a recent statement that violations of human rights did occur in Cyprus in 1974.

c. Arbitrary Arrest or Imprisonment

Arbitrary arrest or detention is not currently being practiced in Cyprus. Charges that these practices occurred were frequently leveled by both Greek and Turkish-Cypriots during the 1974 crisis and its immediate aftermath.

d. Denial of Fair Public Trial

The authorities in Cyprus respect the right to a fair public trial.

e. Invasion of the Home

Many thousands of Cypriots--both Greek and Turkish--were displaced from their homes during the 1974 fighting. Over the next two years practically all Turkish-Cypriots remaining in the south moved, whether voluntarily or involuntarily, to the north. Similarly, in the course of 1975 and 1976 all but a few thousand of the Greek-Cypriots remaining in Turkish-controlled northern Cyprus moved to the Greek-administered south. According to the Greek-Cypriots, many of these persons were evicted from their homes as a deliberate act of policy; according to the Turkish-Cypriots, they moved southward voluntarily and subsequently claimed they were forced out in order to qualify for refugee benefits. The report of the European Commission on Human Rights supports the former view. If there was in fact a deliberate eviction policy, it appears now to have been dropped. U.N. representatives have verified that those Greek-Cypriots who moved from the north to the Greek-controlled sector in the course of 1977 clearly did so of their own accord.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Government of Cyprus has responded promptly and effectively to the plight of the many thousands displaced as

a consequence of the 1974 crisis. Housing, employment, education and health programs have been designed and implemented--funded in large part by outside (principally U.S.) sources. The Turkish-Cypriots were confronted with substantially less pressing refugee problems after 1974, but they have likewise been attentive to resettlement needs (benefiting also from U.S. assistance).

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Freedom of the press and of assembly exists in both sectors of Cyprus. Minority groups, e.g. Greek-Cypriots in the north and Maronites in the south, practice their religions without hindrance.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Turkish and Greek-Cypriots enjoy normal freedom of movement within their respective sectors. The Turkish-Cypriot authorities continue to impose certain restrictions on the movement of Greek-Cypriots residing in the north. Movement between the two sectors is permitted only under exceptional circumstances.

c. Freedom to Participate in the Political Process

The Government of Cyprus is organized under the 1960 constitution in accordance with Western representative models. Suffrage is universal. Labor unions are free of governmental control. The Turkish-Cypriot regime in the north is democratically elected and controlled.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Turkish-Cypriot administration has consistently refused to permit international bodies--including the ICRC and the European Commission on Human Rights--to conduct on-the-spot investigations into cases of persons reported missing and unaccounted for since the events of 1974. Other investigatory bodies, however, have been allowed to work in northern Cyprus without hindrance, and U.N. officials are at present free to pursue humanitarian activities there on behalf of the remaining Greek-Cypriot residents.

DENMARK

Respect for civil and political liberties in Denmark is outstanding, both on a theoretical level and in practice. There is broad public support and consensus for strong human rights policies in Denmark.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Freedom from torture is guaranteed by law and respected in practice.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Freedom from cruel, inhuman or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice.

d. Denial of Fair Public Trial

Fair public trial is guaranteed by law and respected in practice.

e. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Major objectives of Danish Government policies relate directly to fulfilling the basic needs of the population for food, shelter, health care and education.

These policies include full consideration for less privileged elements of the society. The labor movement, a dominant social and political force within the country, fully guarantees the rights of all workers, a policy backed up by advanced and comprehensive public welfare legislation.

3. Respect for Civil and Political Liberties,
Including:

- a. Freedom of Thought, Speech, Press, Religion,
and Assembly

These freedoms are in effect.

- b. Freedom of Movement Within the Country, Foreign
Travel and Emigration

There is freedom of movement, foreign travel and emigration.

- c. Freedom to Participate in the Political Process

Democratic processes exist at all levels, assuring the freedom to participate in the political process.

4. Government Attitude and Record Regarding Inter-
national and Non-Governmental Investigation of
Alleged Violations of Human Rights

The Government is open-minded and certainly prepared to consider any allegations of human rights violations in Denmark by an independent investigative authority, although this is an extremely unlikely eventuality in light of Denmark's exemplary human rights record. Denmark is party to the International Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural Affairs.

FINLAND

Finland supports broad international human rights objectives, publicly and privately. Finland is a signatory of the UN convention on refugees. The international covenant on civil and political rights, and the covenant on economic, social and cultural affairs.

1. Respect for the Integrity of the Person, including Freedom from:

a. Torture

Freedom from torture is guaranteed by law and respected in practice.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Freedom from cruel, inhuman or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice.

d. Denial of Fair Public Trial

Finnish law allows that persons accused of certain crimes, such as espionage, may be tried in secret. This is rarely employed, and when it is, all basic rights enjoyed in open trials are scrupulously observed.

e. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice.

2. Governmental policies relating to the fulfillment of such vital needs as food, shelter, health care and education

In the field of social justice, Finland's record is on a par with other Nordic states and among the best in the world. The government is committed to economic policies aimed at maximizing employment opportunities and to the fairest possible distribution of income.

3. Respect for Civil and Political Liberties, including:

- a. Freedom of Thought, Speech, Press, Religion and Assembly

These freedoms are in effect.

- b. Freedom of Movement, Foreign Travel and Emigration

There is freedom of movement, foreign travel and emigration

- c. Freedom to Participate in the Political Process

All other civil and political liberties are respected and protected under Finnish law. Basic human rights are guaranteed in chapter II of the Finnish constitution of 1919. Labor is free to organize, and the labor movement is well developed and politically influential.

There are Finnish statutes which, on their face, are not wholly consistent with Finland's general position of strong commitment to human rights. For example, a 1948 statute provides a maximum of two years imprisonment for persons who intentionally and publicly defame a foreign state, and thereby jeopardize Finland's relations with that state. This law, however, has never been used.

4. Government Attitude and Record Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Finnish government is open to any outside investigation of possible human rights violations, although this has not been, and is unlikely to be necessary given Finland's exemplary performance in the field. For ten years there has been a Finnish chapter of amnesty international, which now has some 500 members.

FRANCE

France has an established tradition of respect for human rights and of their promotion at home and abroad. The French government and people fully support this element of national tradition and policy.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Freedom from torture is guaranteed by law and respected in practice.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Freedom from cruel, inhuman or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice.

d. Denial of Fair Public Trial

Freedom from denial of fair public trial is guaranteed by law and respected in practice.

e. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice.

2. Government Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education.

France provides extensive social security benefits, unemployment compensation, full health services, and free education to all citizens through university levels. The French government's progressive decisions to absorb many refugees from Algeria and Indochina, and to permit Africans from former French colonies to work in France on a long-term basis, have been intensely debated and sometimes criticized by segments of the French population. Nonetheless, official French sensitivity to these needs has re-

mained consistent and high, and the government seeks to prevent instances where criticism might evolve into racial conflict.

3. Respect for Civil and Political Liberties, Including:

- a. Freedom of Thought, Speech, Press, Religion, and Assembly

These freedoms are in effect.

- b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There is freedom of movement, travel and emigration.

- c. Freedom to Participate in the Political Process

Participation in democratic processes is fully respected.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

Occasions in which outside investigations of human rights performance in France would be appropriate have not, to our knowledge, arisen.

FEDERAL REPUBLIC OF GERMANY

Human rights are an important element of the basic law which established the Federal Republic of Germany in 1949. These principles embodied in the basic law have been scrupulously observed. Despite the seriousness of recent terrorist activity, the Federal Republic is dealing with the problem within the constitutional framework.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Freedom from torture is guaranteed by law and respected in practice.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Freedom from cruel, inhuman or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice.

d. Denial of Fair Public Trial

Fair public trial is guaranteed. The Parliament has recently passed a law dealing with the problem of terrorism. Lawyers of imprisoned terrorists no longer have the right of unrestricted and uncontrolled access to their clients. This law was enacted to prevent the smuggling into prisons of small arms and communication devices by certain lawyers, as had apparently been happening. The law does not deny legal counsel to terrorist prisoners.

e. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Federal Republic provides extensive social security benefits, unemployment compensation, full health services, and free education to all through university levels.

3. Respect for Civil and Political Liberties, Including:
 - a. Freedom of Thought, Speech, Press, Religion, and Assembly

These freedoms are in effect.

- b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There is freedom of movement, foreign travel and emigration.

- c. Freedom to Participate in the Political Process

Civil and political liberties and participation in democratic processes are respected. Radical political parties are permitted to participate in local, state and federal elections. However, membership in some legal but radical parties has barred applicants from civil service employment. This disqualification has been the subject of public political debate, as the criteria for disqualification are not uniformly administered in all states of the Federal Republic.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

A number of groups from outside the Federal Republic have surveyed the human rights situation in the Federal Republic since the war. The government does not appear to resent such monitoring efforts.

GREECE

A new Constitution, developed following the fall of the Junta and Greece's return to democracy in 1974, incorporated many of the elements contained in the United Nations Declaration on Human Rights, and included specific provisions against "torture, bodily maltreatment, impairment of health, and use of psychological violence." The latter practices were of particular concern in Greece because of their frequency during the Junta period.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Although there have been some allegations of mistreatment of prisoners by individual officials, the Government has clearly effected significant changes in the conduct of security officials.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There is no evidence of any such treatment or punishment.

c. Arbitrary Arrest or Imprisonment

Reports of arbitrary detention or invasion of the home no longer arise.

d. Denial of Fair Public Trial

Trials, even of persons accused of human rights abuses during the Junta period, have met international standards of fairness and openness.

e. Invasion of the Home

There is no evidence of any such practice.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Greek Government is committed to fulfilling basic

human needs for food, shelter, health care and education. The Government has sought particularly to make education more accessible, more democratic, and more relevant to Greek economic development.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

There is freedom of thought, speech, press, religion and assembly.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There is freedom of movement within the country, and out of it.

c. Freedom to Participate in the Political Process

Persons of all political persuasions, including members of the communist parties, are free to participate in the political process in Greece. The new Constitution provides universal suffrage for all persons twenty and over. Workers are free to organize and join trade unions, to participate in collective bargaining and to strike.

The Greek Government asserts that Greece's small Moslem minority is treated exactly like any other Greek citizens. In support of their claim that they provide the Moslem minority absolute equality of opportunity, Greeks point to the growth of the Moslem community in Greece in the past 50 years, to Moslem ownership of valuable and productive land, and to the presence of two Moslem deputies in the Greek Parliament representing Moslem constituencies in the north.

On the other hand, there have been periodic complaints of harassment and maltreatment. These generally concern such matters as buying and selling land, and bureaucratic delays in processing official papers.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

To the best of our knowledge, the Government has not objected to visits and investigations of human rights conditions by Amnesty International and others.

IRELAND

Ireland attaches great importance to the observance and maintenance of human rights. Individual liberties and civil rights are guaranteed and protected by the constitution. The guarantees include all those typical to highly developed western democracies such as freedom from torture, cruel, inhuman or degrading treatment or punishment, arbitrary arrest or imprisonment, denial of fair trial or invasion of the home. Political institutions meet the highest democratic standards and political life is orderly. The growth of terrorist activities resulting from the civil unrest in Northern Ireland caused the Irish Government to introduce legislation to combat terrorism in 1976, which the Parliament adopted.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Freedom from torture is guaranteed by law and respected in practice.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Constitutional protections are observed, although Amnesty International has reported some instances of alleged maltreatment of detainees or prisoners, where terrorism or other serious crimes may have been involved.

c. Arbitrary Arrest or Imprisonment

In 1976, the spillover into the Republic of terrorist activities arising from the Northern Ireland situation led the Irish Government to declare a state of emergency and to allow police to detain persons for up to seven days without charge. A signatory of the European Convention on Human Rights, Ireland duly availed itself of the rights of derogation from that Convention until security conditions improve. The new Irish Government decided to return to a maximum period of two days detention without charge, and this took effect October 12, 1977.

d. Denial of Fair Public Trial

Fair public trial is guaranteed by law and respected in practice.

e. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice.

2. Government Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Ireland has kept pace with other western democracies in the provision of social welfare benefits to its citizens--within the limit of its economic means. As one of the least prosperous Western European states, these benefits are modest compared, for example, to the Nordic societies. The basic needs for the poor are met, and in some areas such as education, Ireland ranks high in the world community.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

These freedoms are in effect.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There is freedom of movement, foreign travel and emigration.

c. Freedom to Participate in the Political Process

Irish citizens participate fully in an orderly democratic political system. The labor movement is free and strong.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Irish Government in general has a good record regarding independent, outside investigations of alleged human rights abuses.

ITALY

Italian law fully guarantees the integrity of the person, freedom from cruel or inhuman punishment, arbitrary arrest or imprisonment, and the right to a fair public trial, civil rights and political liberties are fully respected.

1. Respect for the Integrity of the Person,
Including Freedom from:

a. Torture

Freedom from torture is guaranteed by law and respected in practice.

b. Cruel, Inhuman or Degrading Treatment or
Punishment

Freedom from cruel, inhuman or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice.

d. Denial of Fair Public Trial

Fair public trial is guaranteed by law and respected in practice, although there can be lengthy administrative delays.

e. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice.

2. Governmental policies relating to the fulfillment of such vital needs as food, shelter, health care and education.

Italy has an extensive system of social welfare benefits covering old age, retirement, health and unemployment. These programs have experienced continuing problems of inefficient administration which have resulted in inequities in some cases. The Government recognizes this problem and is attempting to improve social services.

3. Respect for Civil and Political Liberties,
Including:

- a. Freedom of Thought, Speech, Press, Religion,
and Assembly

These freedoms are in effect.

- b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

There is freedom of movement, foreign travel and emigration.

- c. Freedom to Participate in the Political Process

In reaction to more than 20 years of fascist rule between the World Wars, the Italian Republic and its government have been scrupulous in defense of the fundamental rights and freedoms of individuals and groups. A variety of political parties and views, a vocal press, and a strong humanistic and religious tradition have all acted to guarantee civil liberties against governmental abuse. Political activity on the part of citizens is universal. Political parties represent the entire spectrum, from left to right. In a typical parliamentary election over 90 percent of eligible voters cast ballots.

4. Government Attitude and Record Regarding International
and Non-Governmental Investigation of Alleged Violations
of Human Rights

The Italian Government has an excellent record in supporting human rights throughout the world. Italy has not been the subject of investigation of alleged human rights violations.

THE NETHERLANDS

The Dutch observance of internationally recognized human rights is exemplary and is based on deep-seated and widely-shared concepts of human dignity and respect for law. The Netherlands has had the longest consistent tradition of respect for human rights in the West, and any altering of government habits is not anticipated.

1. Respect for the Integrity of the Person,
Including Freedom from:

a. Torture

Freedom from torture is guaranteed by law and respected in practice.

b. Cruel, Inhuman or Degrading Treatment or
Punishment

Freedom from cruel, inhuman or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice.

d. Denial of Fair Public Trial

Freedom from denial of fair public trial is guaranteed by law and respected in practice.

e. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Netherlands enjoys a high per capita income and is one of the most affluent countries in Europe. The government pursues policies to ensure that these benefits are distributed equitably throughout the economy. The Netherlands pursues a liberal wage and social benefit policy. There is a relative absence of class distinction and a common educational system serving all economic levels.

3. Respect for Civil and Political Liberties,
Including:

- a. Freedom of Thought, Speech, Press,
Religion, and Assembly

These freedoms are in effect.

- b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

There is freedom of domestic and foreign travel, and of emigration.

- c. Freedom to Participate in the Political
Process

The Netherlands is a parliamentary democracy under a constitutional monarchy. Political life is carried out in a highly democratic fashion. Legislative power is vested in an assembly elected by universal suffrage. Labor is free to organize, and the labor movement is well-developed.

4. Government Attitude and Record Regarding
International and Non-Governmental Investigation
of Alleged Violations of Human Rights

The record of the government is sufficiently good that the issue of outside investigation has not come up.

NORWAY

There is broad public support and consensus for strong human rights policies in Norway. Human rights are an integral part of public policy.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Freedom from torture is guaranteed by law and respected in practice.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Freedom from cruel, inhuman or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice.

d. Denial of Fair Public Trial

Fair public trial is guaranteed and provided.

e. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Major objectives of Norwegian Government policies relate directly to fulfilling the basic needs of the population for food, shelter, health care and education. These policies include full consideration for less privileged elements of the society.

3. Respect for Civil and Political Liberties,
Including:

- a. Freedom of Thought, Speech, Press, Religion,
and Assembly

These freedoms are in effect.

- b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Citizens have freedom of movement within the country,
foreign travel and emigration.

- c. Freedom to Participate in the Political Process

The labor movement, a dominant social and political
force within the country, fully guarantees the rights
of all workers, a policy backed up by advanced and
comprehensive public welfare legislation. Democratic
processes exist at all levels, assuring the freedom
to participate in the political process.

Respect for civil and political liberties in Norway is
outstanding, both on a theoretical level and in prac-
tice.

4. Government Attitude and Record Regarding Inter-
national and Non-Governmental Investigation of
Alleged Violations of Human Rights

The Government is open-minded and certainly prepared
to consider any allegations of human rights violations
in Norway by an independent investigative authority,
although this is an extremely unlikely eventuality in
light of Norway's exemplary human rights record.
Norway is party to the International Covenant on Civil
and Political Rights and the Covenant on Economic,
Social and Cultural Affairs.

PORTUGAL

The definitions in the new post-revolution Constitution of the rights of Portuguese citizens were consciously modelled after the Universal Declaration of Human Rights. The Portuguese Government has honored in practice the Constitutional guarantees to prevent abuses of human rights. With the exception of the leaders of the Communist Party, Portuguese politicians and high-ranking officials have actively supported improvement of human rights. President Eanes issued an edition of the Charter of the Rights of Man with a special introduction stressing his own commitment to human rights. The International League of Human Rights honored Prime Minister Soares for his thirty-year struggle to restore human rights in Portugal by granting him its Annual Award on April 19, 1977. Prime Minister Soares sponsored the visit to Portugal of prominent Soviet dissident Andrei Amalrik. In the past year the Assembly of the Republic has passed motions condemning human rights violations in Brazil, Chile, Ethiopia, Czechoslovakia and the Soviet Union. The Assembly also passed a motion calling for an institution to supervise fulfillment of the Helsinki Agreement of the Conference for Security and Cooperation in Europe.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Since dismantling of the secret police, the Directorate General for Security (DGS), Portugal has been free from torture. The security policy now are limited to non-political routine police work.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Since the leftist counter-coup attempt in November 1975, there have been no documented cases of cruel or unusual punishment. Charges have been filed against those responsible for alleged mistreatment of prisoners during the pro-Communist government of Prime Minister Vasco Goncalves.

c. Arbitrary Arrest or Imprisonment

Since November 1975 Portuguese citizens have not been detained without specific charges longer than the 48-hour period allowed by the Constitution.

d. Denial of Fair Public Trial

Portugal allows no secret trials or condemnations, and the judicial system is fair.

e. Invasion of the Home

The Constitutional prohibitions against illegal searches and illegal entries into homes have been observed since 1975.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Since the installation of Portugal's first democratic government in almost fifty years and despite a worsening economic crisis, the government has clearly focussed on alleviating the hardship of the least advantaged.

a. Housing

The government has targeted for construction in 1977 an estimated 11,500 housing units throughout Portugal for slum residents and refugees.

b. Health

In order to improve health conditions among Portugal's rural and low income population, government programs are underway to construct water and sewage and other sanitation facilities throughout the country at a cost in 1977 of \$50 million.

c. Education

Portugal is attacking a present 35 percent illiteracy rate and lack of educational opportunity in rural areas

through a large-scale primary and secondary school construction program. Approximately 19 percent of the 1977 government budget is directed toward education.

d. Social Security and Welfare Benefits

Since the April, 1974 revolution Portugal has expanded social security and welfare benefits and extended the length of time benefits can be claimed. To alleviate the effects of the present 25 percent inflation rate, the government has sought to maintain the purchasing power of the poor by subsidizing prices of essential goods.

e. Refugee Assistance

Portugal's most dramatic humanitarian gesture has been the massive government and private effort to absorb and assist more than half a million former residents of the African colonies to which it granted independence during 1975. Although beset by a 15-17 percent unemployment rate and similarly high under-employment, Portugal devoted a remarkable 9 percent of its 1976 budget to help feed, clothe and provide employment for residents of its former colonies. Since its installation, the government has escaped any known allegations that significant resources are diverted toward the nation's elites and away from the majority of the population.

3. Respect for Civil and Political Liberties,
Including:

a. Freedom of Thought, Speech, Press, Religion,
and Assembly

These freedoms are in effect.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

There is freedom of movement, foreign travel and emigration.

c. Freedom to Participate in the Political Process

The government has rigorously respected the Constitutional provision for universal, secret and equal suffrage for all citizens over 18 years of age. Foreign observers have confirmed that Portugal's four elections over the past three years honored these principles.

Workers have the Constitutional right to set up trade unions and trade union associations and have done so. The law establishing the Communist-dominated General Confederation of Portuguese Workers-Inter-sindical as the country's sole labor confederation has been revoked. Workers have not yet established a rival union confederation, but a small group of independent unions has been formed.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

Portugal's government has cooperated with independent outside investigations of human rights conditions. For example, the Amnesty International mission visited Portugal in June, 1975.

SPAIN

The government of Spain has moved to bring democracy to Spain and to guarantee a broad spectrum of democratic freedoms. New laws and decrees providing freedom of assembly and other political activity have been approved; judicial safeguards have been strengthened; press censorship has been greatly restricted and all political prisoners have been released. The government, at some risk, has also taken vigorous measures to halt previous police excesses and to ensure that law enforcement is impartial. Terrorists of both right and left have been arrested and prosecuted.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Freedom from torture is guaranteed by law and respected in practice.

b. Cruel, Inhuman or Degrading Treatment or Punishment

The Spanish government and its officials do not practice cruel, inhuman or degrading punishment.

c. Arbitrary Arrest or Imprisonment

Spain's new democratic government is vigorously enforcing law and policy against arbitrary arrest and detention.

d. Denial of Fair Public Trial

The Spanish judicial system is independent and generally respected, and the judges are promoted on a strict merit system. Fair public trial is provided for by law and is observed in practice.

e. Invasion of the Home

There have been isolated instances of invasion of the home in the Basque country, but the government is working hard to end such occasional abuses.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

While Spain's welfare system is not as extensive as that of some other European countries, most Spaniards receive sufficient food, shelter and health care. Spanish economic development has brought about an enormous improvement in the general standard of living over the past 15 years. A far-reaching tax reform program, backed by the government, is already underway.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

There is no restriction on religion or the exercise of these freedoms.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There are no restrictions on freedom of movement, foreign travel or emigration. A small number of accused and convicted terrorists were released from prison last spring on condition they leave Spain. At least some subsequently returned to Spain, without being re-arrested.

c. Freedom to Participate in the Political Process

The first free democratic elections in 40 years took place June 15, 1977, and the Parliament elected then is now working on a new democratic constitution.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The government has shown no antipathy to independent outside investigations of Spain's human rights situation.

SWEDEN

Fundamental political freedoms and human rights of Swedish citizens are guaranteed by the Swedish constitution. Sweden occupies a prominent position in international efforts to enhance human rights. In the UN, it has been active in support of initiatives against torture, campaigned for measures to ensure religious tolerance, and proposed the outlaw of capital punishment. Sweden has ratified the two U.N. International Covenants and the Optional Protocol of the Civil and Political Rights covenant, and is a party to the European Convention on Human Rights. In the North/South dialogue Sweden has been in the forefront of industrialized countries in arguing for major resource transfer by means of grant aid to the least developed nations. Its own aid program at one percent GNP, is far larger than our own and equalled only by that of the Netherlands.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Freedom from torture is guaranteed by law and respected in practice.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Freedom from cruel, inhuman or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Guarantees with respect to the integrity of the person are scrupulously heeded.

d. Denial of Fair Public Trial

The Swedish constitution forbids deprivation of liberty without public trial by a court of law.

e. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Sweden has been a world leader since the 1930's in policies to meet basic needs such as food, shelter, health care and education. Per capita gross national produce in Sweden is above that in the United States, and wealth is more evenly distributed among all segments of the population.

The comprehensive system of human rights which exists in Sweden exists by government design. The government and a cross section of Swedes from right to left consider the protection of human rights a cornerstone of Swedish society. Where the edges are beginning to fray slightly, as in pressures against Mediterranean minorities, the Swedes recognize the problem. Swedish ombudsmen, appointed by Parliament and with full autonomy, are charged with the investigation of complaints of private citizens that their rights have been violated.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Swedes enjoy freedom of thought, speech, press, religion and assembly.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There is freedom of movement within and from the country.

c. Freedom to Participate in the Political Process

The country has a long history of orderly democratic political life in which all citizens and certain foreign residents fully participate. The labor movement is completely free to organize, highly developed, and is the backbone of Sweden's largest political party, the Social Democrats.

4. Government Attitude and Record Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Sweden's record is good enough that the question of an independent, outside investigation of alleged human rights violations has not, to date, been posed. The continued existence of a free, inquisitive press makes it unlikely that such investigations will be needed in the future. With regard to third countries, we believe that Sweden could support the principle of independent outside investigations.

SWITZERLAND

Switzerland, a neutral and democratic country, attaches vital importance to the observance and maintenance of human rights. The Swiss Confederation has an internationally renowned human rights record. It is well known for its generous assistance to refugees, and it is the headquarters site for important worldwide organizations concerned with humanitarian affairs, notably the International Labor Organization (ILO), the UN Economic and Social Council (ECOSOC), and the International Red Cross. The Swiss Government recently presided over efforts to update the Geneva Convention at the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Freedom from torture is guaranteed by law and respected in practice.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Freedom from cruel, inhuman or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice.

d. Denial of Fair Public Trial

Judicial power is exercised by the law courts, the independence of which is insured by the constitution. Trials are fair and public.

e. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The fairly equitable distribution of the national income, and the substantial sums spent on welfare by private industry in this capitalistic society explain the fact that public expenditures for social purposes are lower in Switzerland than in many other European countries.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Switzerland is a party to the European Convention on Human Rights. Switzerland prides itself on being a country of absolute religious tolerance, and religious groups have a right to the protection of the state against the domination of any other religious community. There are no restrictions on political expression or association except those placed on groups considered a potential threat to the Confederation.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There is freedom of domestic and foreign travel, and of emigration.

c. Freedom to Participate in the Political Process

Switzerland is a constitutional democracy. Legislative power is vested in a bicameral legislature elected by universal suffrage. Women were granted the federal franchise in 1971, and in most cantons they enjoy the same voting privileges as men.

Although women were enfranchised on the federal level in 1971, Switzerland has not been able to ratify the UN Human Rights Convention, because women in the small half-canton of Appenzell-Innerrhoden, who comprise 2 per cent of the total Swiss female population, have not yet been granted full citizen's rights.

There is full freedom of labor to organize.

4. Government Attitude and Record Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

There have been no requests during the postwar period for outside investigations of Switzerland's human rights.

TURKEY

Turkey's Constitution, penal code and administrative regulations provide safeguards which approximate due process as understood in Western European countries and afford protection from arbitrary arrest and detention. Torture or degrading treatment of prisoners is illegal under Turkish law. Turkey's free press and competitive political system have served as additional safeguards. The new Turkish government which took office in January 1978 has enunciated protection of human rights as one of its primary concerns.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

An amnesty in 1974 released all political prisoners, and other legislation restored political rights to all those previously deprived them. In 1976 and 1977 scattered allegations of torture were reported in a few newspapers and in individual witness statements made to Amnesty International; conclusive proof is lacking. While incidents of torture may occur, there clearly is no systematic policy of torture directed by the government.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There is no verified evidence of cruel, inhuman or degrading punishment being practiced in Turkey.

c. Arbitrary Arrest or Imprisonment

Occasional allegations that the prescribed detention period has been exceeded are not supported by significant evidence.

d. Denial of Fair Public Trial

Trials in Turkey are open, and defense lawyers are available under all circumstances.

e. Invasion of the Home

Privacy of the home is protected by law, the requirements of which are met.

2. Governmental Policies Relating to the Fulfillment
Such Vital Needs as Food, Shelter, Health Care and
Education

Governmental policies relating to the fulfillment of basic needs for food, shelter, health care and education are good and limited only by the economic resources of the country.

3. Respect for Civil and Political Liberties, including:

a. Freedom of Thought, Speech, Press, Religion, and
Assembly

Freedom of thought, religion and assembly are respected in Turkey. Government notification and approval are necessary for large public meetings, but such meetings, including those of a political nature, are freely held.

Freedom of worship is protected under both the Turkish Constitution and the 1923 Treaty of Lausanne. The Armenian Patriarch of Istanbul stated in 1977 that "we enjoy complete freedom of worship."

The small Greek, Christian, and Jewish populations also enjoy freedom of worship.

Charges have been made that various minorities, for example the Armenians, Greeks and Kurds, suffer from cultural and economic, although not religious, discrimination. As for the Kurds, the Turkish Government has prohibited publication in, or teaching of, Kurdish since 1925 when a series of Kurdish revolts threatened the stability and unity of Eastern Turkey. However, there does not appear to be any official discrimination against individuals belonging to minority groups, some of whom are prosperous and are leaders in the professions. Minority institutions have encountered problems in such areas as permits to maintain or expand existing churches and other facilities. Such actions appear to be haphazard in nature and do not appear to be the result of deliberate government policy.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

There is freedom of movement, foreign travel and emigration.

c. Freedom to Participate in the Political
Process

The ability to participate in the political process is extensively protected in Turkey. Turkey enjoys a vibrant political process, with parties reflecting all parts of the political spectrum. Elections are well contested and honest.

4. Government Attitude and Record Regarding Inter-
national and Non-Governmental Investigation of
Alleged Violations of Human Rights

We are not aware of any obstacles to outside investigation and members of Amnesty International, for example, operate freely in Turkey.

In light of the Turkish military intervention in 1974 and the continued presence of Turkish armed forces in northern Cyprus, Turkey to some extent shared with the Greek community responsibility for the human rights situation on the island. The report relating to Cyprus takes up charges and counter-charges relating to human rights violations on the island.

UNITED KINGDOM

The tradition of constitutional and common law in the United Kingdom and the sanctity of individual rights are the basis upon which the concept of personal and political liberty originated in Britain and the United States. From the benchmark of the Magna Carta, through its pioneering of workers' rights during the industrial revolution, to its present-day record regarding respect for the integrity of the person, respect for civil and political liberties, and parliamentary sensitivity to the basic needs of its people, the UK has found itself in the forefront of the West's slow but steady evolution towards modern-day practices.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

In a 1976 report, the European Commission on Human Rights announced its findings in a 1971 case brought by the Irish Government, which the British Government did not contest. The Commission found that five interrogation techniques used by the security forces in Northern Ireland in fourteen suspected terrorist cases in 1971 constituted a breach of Article 3 of the European Convention on Human Rights, which forbids torture and inhuman or degrading treatment or punishment. The European Court of Human Rights subsequently rejected the torture allegations in a January, 1978, decision.

b. Cruel, Inhuman or Degrading Treatment or Punishment

The Court, in its 1978 decision, found that the so-called sensory deprivation techniques constituted a breach of Article 3 of the Convention in that they amounted to inhuman and degrading treatment. The UK had already announced in March 1972 that these techniques had been abandoned and that substantial compensation had been awarded to those involved.

c. Arbitrary Arrest or Imprisonment

Terrorism in Northern Ireland has presented the Government with a serious problem of protecting the rights

and safety of the population as a whole in the province in recent years. Acting from the premise that the fundamental "right to life" was in serious jeopardy in Northern Ireland, the British Government proposed and Parliament adopted two acts which provide it with powers to deal with the threat: the Prevention of Terrorism (Temporary Provisions) Act of 1976 and the Northern Ireland Emergency Provisions Act of 1973. The latter was the subject of a derogation by the European Commission on Human Rights in its report of September, 1976, which found that detention without trial under the Act (discontinued in December, 1975) had been justified as "strictly required by the exigencies of the situation" under Article 15 (1) of the European Convention on Human Rights. Although both these Acts empower the restriction of personal liberties, they are subject to close scrutiny in Parliament and to mandatory renewal of frequent intervals.

d. Denial of Fair Public Trial

Fair public trial is guaranteed.

e. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The United Kingdom is a world-leader in the fulfillment of the basic human needs of its people. It was a pioneer in developing primary and secondary education and a government sponsored health-care system, and continues to provide fully for the basic needs of its citizens with regard to food and shelter. The UK has ratified the United Nations Convention on Economic, Social, and Cultural Rights.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

These freedoms are in effect.

b. Freedom of Movement within the Country, Foreign Travel and Emigration

There is freedom of movement, foreign travel and emigration.

c. Freedom to Participate in the Political Process

Civil and political liberties are well-protected in the UK. Britain is a party to the United Nations Covenant on Civil and Political Rights. As noted above, the UK differs from many democracies in having no written constitution of basic law defining the powers of Government and the rights of the governed. There is some interest in political circles in the desirability of a Bill of Rights on the US model.

With respect to Northern Ireland, a standing advisory commission on human rights was set up by the Northern Ireland Constitution Act (Part III) of 1973. The Commission is studying the question of whether a Bill of Rights should be recommended for Northern Ireland but it has not yet submitted its report to the British Government. There are numerous legislative guarantees of civil and political liberties specifically aimed at Northern Ireland, the fundamental one being the above-mentioned Act which made unlawful any Northern Ireland executive or legislative action that was discriminatory on religious or political grounds. With minor exceptions, there are no restrictions on freedom of speech, religion, assembly, or movement in Northern Ireland.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The British Government's record with respect to independent, outside investigations of alleged human rights violations is outstanding. In the above-mentioned case brought by the Irish Government, the British attorney-General made clear that the Government "accepts in full the right of the applicant Government to refer the case to the court." Moreover, Britain years ago executed a separate declaration accepting the right on petition by individuals and non-official organizations under Article 25 of the European Convention on Human Rights, which it was the first signatory country to ratify in 1951. It should be noted that Britain has provided a home for Amnesty International, a leading private human rights organization, for years.

YUGOSLAVIA

Practically speaking, Yugoslav citizens, unlike those in other Communist countries, enjoy broad freedom of movement and access to foreign publications, newspapers, radio, and television broadcasts. Freedom of speech and artistic creativity have been more widespread than in Warsaw Pact countries. Nevertheless, certain restrictions must be observed -- not attacking President Tito, the League of Communists of Yugoslavia (LCY), or the principles of "brotherhood and unity" of Yugoslavia's diverse peoples.

Through its control of political power the LCY exerts a major influence on the interpretation and implementation of the Constitution and law. More stringent political controls have been introduced since 1971, as the regime strives to keep ultimate power in the hands of a few, and in response to challenges within and outside the Party from nationalist, liberal and pro-Soviet forces. The regime tends to interpret written and even oral criticism as political "crimes," and it determines the course of justice in political cases.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture is neither condoned by the authorities nor have there been any substantiated reports of its practice. The Constitution guarantees the integrity of the person and expressly prohibits forced confessions.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There have been occasional allegations of treatment which would appear to constitute cruel, inhuman, or degrading punishment. For example, some political prisoners have reportedly been held in solitary confinement for extended periods and there have been unconfirmed reports of beatings of prisoners by police. We are not able to judge the accuracy of these reports.

c. Arbitrary Arrest or Imprisonment

Yugoslavs are generally free from arbitrary arrest, although large numbers of suspects have reportedly been picked up for questioning after terrorist acts. Normally, arraignment quickly follows arrest. Indictment must be brought within three months, except that the investigating judge can request from the court an extension of three months or even longer with justification.

d. Denial of Fair Public Trial

Trials are generally open to the public, except in cases involving military or national security questions when the judge has the authority to hold proceedings in camera. Government controls on the media also affect the degree and nature of publicity accorded the proceedings. Impartiality probably varies widely. There is the possibility of acquittal in non-political cases. The accused has the right to counsel and Yugoslav lawyers have often vigorously defended their clients. There have been cases reported in which the authorities are said to have influenced testimony of witnesses.

e. Invasion of the Home

The Yugoslav code of criminal procedure contains elaborate provisions for conducting searches, including the requirement for a court order except under certain limited circumstances. Although the possibility of abuse is not to be ruled out, there are no indications of widespread violations.

2. Governmental Policies relating to the Fulfillment of such Vital Needs as Food, Shelter, Health Care and Education

The Government's record in promoting fulfillment of basic needs for food, shelter, health care, and education is credible. The regime's communist credo demands attention to such needs, although its means are limited by economic factors.

A privileged minority uses its position to acquire perquisites, e.g., weekend houses. There is, however, little evidence that significant resources are being diverted. The poor are largely victims of structural features of the economy, and the regime genuinely seeks to improve their lot.

3. Respect for Civil and Political Liberties,
Including:

a. Freedom of Thought, Speech, Press, Religion,
and Assembly

Freedom of thought is generally upheld, but there are strong restrictions on public expression of thoughts and opinions. Criticism of government policies may be considered hostile propaganda, a punishable offense. The advocacy of dissident political ideas is not permitted. In a recent, rare case, a judge whose private diary entries expressed separatist and pluralist views was convicted in part on the evidence contained in the diary. He has since been amnestied. Rights of religion and assembly are guaranteed in the Constitution, but are honored under controlled conditions. Religious organizations may not engage in political and non-religious activities as defined by the government and LCY. Constraints are imposed on proselytizing activities and religious education. No political gatherings are authorized except on the authority of official bodies.

b. Freedom of Movement within the Country,
Foreign Travel and Emigration

Freedom of movement within the country is guaranteed in the Constitution and is not infringed in practice. Yugoslavs travel abroad at will, although an unknown number of "dissidents" have been denied passports on national security grounds. Hundreds of thousands of Yugoslav workers are currently working in Western Europe. There are no restrictions on emigration.

c. Freedom to Participate in Political Process

The Constitution has provisions guaranteeing participation in the political process and the "self-management" system encourages wide participation in the decision-making process on both political and economic issues.

But the LCY's control of political power and restrictions against unauthorized political expression effectively limit such participation.

4. Government Attitude and Record Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Yugoslavia is a member of the UN Human Rights Commission, and its delegation chief was chairman of the recent session in Geneva. There is nothing in the record, though, that would suggest any particular receptivity to outside investigation of alleged human rights violations. The question has not arisen in recent years. In all likelihood the Yugoslavs would insist that such matters are internal and would resist outside investigation on grounds of national sovereignty.

The overall incidence of political arrests is down from 1974 and the political situation is more stable from the regime standpoint. In November, 1977, the Yugoslav Government announced an amnesty reportedly affecting over 700 prisoners or detainees, including over 200 who had been held for political offenses. Among those released were all of the most highly-publicized cases.

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NEAR EAST AND SOUTH ASIA

AFGHANISTAN

Afghanistan is one of the world's least developed and poorest nations. Afghan society is highly conservative, Islamic - and traditional. In many areas of the country the Government does not exert effective control. The country is sharply divided along ethnic lines and an Afghan's main loyalties are to his family, tribe and ethnic group. Afghanistan successfully resisted colonization by the British and consequently did not inherit (as did many former British colonies) a developed infrastructure, a trained civil service or Western parliamentary and legal systems.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

The Department has little reliable information regarding the use of torture. There are occasional charges of torture of both political and ordinary criminals, but we have not been able to confirm these allegations.

b. Cruel, Inhuman or Degrading Treatment or Punishment

We have no information on instances of cruel, inhuman or degrading punishment. This year a comprehensive penal code containing human rights guarantees was prepared and promulgated. This new code supplements the traditional mixture of Islamic jurisprudence and custom. Prison conditions are not good, but are improving as new facilities are constructed.

c. Arbitrary Arrest or Imprisonment

There have been instances of arbitrary arrest and imprisonment. However, the Department believes the Government is trying to investigate cases more fairly than in the past. Recently investigative powers were transferred from the police to the Ministry of Justice. The transfer appears to be working reasonably smoothly and has perhaps resulted in fewer arbitrary arrests;

initially, however, the processing of cases is being delayed as the Ministry of Justice endeavors to increase its staff to handle the additional workload.

Most of the individuals arrested at the time of the 1973 coup in which King Zaher was ousted and a Republic under President Daoud was established have been released, and martial law, which was imposed at that time, has been terminated. In 1975, about 20 individuals were arrested for plotting the violent overthrow of the Government. In July 1977, the Government announced that three of these persons had been executed following their conviction by martial law courts and the remainder were given jail sentences or were released.

d. Denial of Fair Public Trial

Individuals accused of offenses related to the security or existence of the State are tried in military courts. These courts are not open to the public and there is no right to counsel, appeal, etc. Individuals accused of other offenses are given fair public trials in civilian courts with rights to legal counsel, appeal, etc. Among the new generation of Afghan judges and prosecutors are several who have received U.S. legal training and employ Western concepts of equity.

e. Invasion of the Home

Afghanistan is a very traditional, closed and conservative Moslem society. Most homes are shielded by massive walls and the privacy and sanctity of the home are sacred tenets. These tenets have been reaffirmed in the new Constitution adopted in 1977, and police are required to secure proper warrants before making an unconsented search of the home.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Afghanistan's natural resources are limited and only 22% of the land is arable. Per capita income is about \$132; life expectancy is only 40 years; approximately 22% of all new babies die before they are one year old; and less than 10% of the population is literate.

The new republican government has committed itself through the new Seven-Year Plan to a more diversified economy, less dependent on agriculture. Creation of new industries and public infrastructure projects are key elements of the Plan; however, development expenditures in the social services are projected to more than double. Included in this plan are programs to:

- enhance basic self-sufficiency in cereals production;

- build 76 new basic health centers in addition to maintaining the 121 existing basic health centers;

- construct 2,800 replacement primary schools, 2,200 to be located in rural areas. To go along with the schools, the Government wishes to train 27,000 new primary teachers and to expand enrollment in higher education by 38%. The Seven-Year Plan notes that a "specific objective" is to help females from the provinces to enjoy the benefits of modern education.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

The rights of freedom of thought, speech, religion and assembly have traditionally been circumscribed in Afghanistan through direct and indirect means. The press is government-owned. Afghan citizens, from

indigenous ethnic groups are generally expected to adhere to Islam, the designated national religion -- but minority citizens, such as Sikhs, Hindus and Jews, are permitted to practice their own faiths without any interference as long as they do not proselytize. Political assembly is generally permitted only in support of the Government. Labor organizations are not allowed.

The advancement of women in the last twenty years has been led and inspired by the Government. Legally women have the same political, social and economic rights as men. There are increasing numbers of women attending Kabul University and studying abroad. Many women have important government jobs. Many female lawyers have been placed in responsible positions in the Ministry of Justice, including one judge and several prosecutors. However, in rural areas most women are still in purdah and many do not attend school; of those that do, many drop out early.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Some restrictions on movement within the country exist as well as on foreign travel and emigration. Persons born as Afghan citizens who have been naturalized in other countries may face legal sanctions if they return to Afghanistan. Their foreign passports are confiscated and they may be required to perform their military service if they have not already done so.

c. Freedom to Participate in the Political Process

The new constitution provides for a political system with a single-party and single-chamber legislature. The charter of "The Party of the National Revolution" was proclaimed last August. Elections to the legislature will not take place until late 1979. There will be no legislature in the interim. It is still too early to determine to what extent the process of choosing party members or legislators will be democratic.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

So far as we are aware, no independent outside body has sought to investigate alleged human rights violations in Afghanistan. The Amnesty International Annual Report of 1977 contains the following sentence: "In June, 1977 Amnesty International Secretary General wrote to President Daoud welcoming the human rights provisions embodied in the constitution but expressing concern at certain unconfirmed reports of the torture of detainees in Afghanistan and seeking further information about how human rights provisions of the new constitution would be implemented." We also have not been able to confirm reports of torture.

BAHRAIN

Historically the most prosperous and cosmopolitan of the Arab states in the Persian Gulf, Bahrain pioneered in devoting oil revenues to social welfare, although it is now less well-off than its oil-exporting neighbors. The general attitude toward human rights in Bahrain is conditioned by a tradition of tolerance. It has an educated population, including the region's only native industrial proletariat. Therefore, there is political and labor activity of a kind hardly known in neighboring states. As a result, the government's attitude toward human rights is a mixture of progressive social outlook and a firm concern for state security. The constitution provides strict safeguards for personal liberties and dedicates the state to social welfare, but after a brief experience with representative government the Amir in 1975 suspended the elected National Assembly.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

The Government of Bahrain has long faced a small but well-organized radical opposition which carried out a political assassination in late 1976. In dealing with this group, the authorities may occasionally have permitted the torture of persons detained by the police.

b. Cruel, Inhuman or Degrading Treatment or Punishment

The Government of Bahrain does not practice cruel, inhuman or degrading treatment or punishment.

c. Arbitrary Arrest or Imprisonment

The Government of Bahrain employs pre-emptive imprisonment in cases involving what it views as serious and immediate threats to civil order, as well as personal threats to members of the ruling family, the diplomatic corps, or religious leaders. The government has occasionally defined a threat to civil order to include non-violent public protests, but in such cases those arrested have been detained only briefly. In more

serious cases, only a few persons regarded as security threats have been detained for extended periods of time; these cases have been reviewed periodically by the courts in conformance with specific provisions of the law.

d. Denial of Fair Public Trial

Fair public trials are generally provided in Bahrain. Trials for crimes judged treasonable may be closed to the public.

e. Invasion of the Home

The Bahraini authorities have searched without warrant private premises in extraordinary circumstances such as a perceived threat to the security of the state. Constitutional prohibitions against arbitrary invasion of the home, are, however, usually observed by the police.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Beginning with the first receipt of some oil income 40 years ago, the Bahraini regime set an example in the region by liberal policies in public health care and education. More recently, the government has embarked on costly anti-inflation subsidies and public housing programs.

A commercial real estate boom has intensified the inequality of wealth in this essentially free-enterprise community. The government is allocating the bulk of its public resources to providing the social welfare benefits guaranteed the citizen by the constitution.

Bahrain's modest oil wealth, combined with the government's relatively enlightened social policies, results in a reasonably equitable distribution of public wealth. Taxation of the public is token. Bahrain takes pride in the lack of corruption in its public life; some does exist, but not to the extent of

adversely affecting the poor.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Bahrainis are free in thought and speech. From time to time, the press is censored, particularly in discussion of Bahrain's relations with other countries. Religious, ethnic, and racial tolerance is characteristic of Bahraini social attitudes and legal practice. The easy acceptance of Bahraini Jews in important roles in the community is an example of this attitude.

The status of women is more advanced in Bahrain than in any other Arabian Peninsula country. Education has long been available to women, and they are now moving toward the goal of job equality. The government encourages the participation of women in the professional and skilled labor force.

Although freedom of assembly is guaranteed by the constitution, the government has on several occasions prohibited gatherings which it has considered to be a threat to public order.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Bahrainis are free to move within the country, to travel abroad, and to emigrate.

c. Freedom to Participate in the Political Process

Representative democracy suffered a setback with the dissolution of the National Assembly in 1975. The present lack of representative institutions is, however, in part counterbalanced by the relative ease of access of citizens to government leaders. The cabinet traditionally is broadly representative of the community.

For decades, Bahrain has had an active labor movement, which at times has represented a potent political force.

Trade unions, however, are illegal. Workers are instead organized on an industry-by-industry basis into workers' councils. The councils primarily perform social welfare functions for their members and serve a liaison function with management with respect to worker grievances.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

Amnesty International has followed the cases of more than 30 people imprisoned in Bahrain. In September 1975, the organization wrote to the Amir advocating their release. Subsequently 27 or 28 were released. Some of these have since gone through the process of re-arrest and release several times.

No international public or private organization has asked for an investigation of human rights in Bahrain.

BANGLADESH

Bangladesh is one of the world's most impoverished and overpopulated countries. During the four-year rule of the late Sheikh Mujibur Rahman (Mujib), government institutions were politicized, the economic situation deteriorated, and there were thousands of political assassinations. Culminating a series of coups touched off by opponents of Mujib, the present government of President Ziaur Rahman (Zia) took power as a martial law administration in November 1975 but has gradually been turning over responsibility to civilian authorities in the past year. Under Zia, there has been a modest but broad-based improvement in public order, the quality of public administration and the economy.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There is no evidence that torture occurs in Bangladesh, and recent reports by international human rights organizations do not allege that it does.

b. Cruel, Inhuman or Degrading Treatment or Punishment

It is a crime in Bangladesh to coerce or intimidate citizens or abuse police powers, but some physical abuse of ordinary prisoners does take place. The Bangladesh Government is attempting to improve the discipline and the quality of the personnel in the police force. The present government has released nearly 12,000 prisoners, more than half of these in the last six months. This should ameliorate the overcrowding in the jails and provide more access to medical facilities and services now insufficiently available to prisoners.

c. Arbitrary Arrest or Imprisonment

Nearly half of the 12,000 detainees whom the Bangladesh Government has released since assuming power were considered political prisoners. Most of these persons

had been jailed by previous governments. While the Bangladesh Government has never stated how many political prisoners it holds, we estimate that up to two thousand remain incarcerated. The Zia government has arrested more than 100 political figures, including former President Mushtaque Ahmed, during the past year. However, some of these, including Mushtaque, have been accused of non-political crimes such as corruption.

d. Denial of Fair Public Trial

At present, two court systems operate in Bangladesh. Civil courts with appropriate guarantees of fair and public trials have jurisdiction in most cases; however, cases involving treason, sedition, corruption, smuggling, and other charges which are defined as "anti-state crimes" fall under the jurisdiction of martial law courts which often hold in camera proceedings.

Former President Mushtaque Ahmed was tried on three separate corruption charges by martial law courts and found guilty of two. Following a recent abortive military mutiny and coup attempt, several hundred mutineers were tried by military tribunals for their involvement. The Bangladesh Government has announced that 37 of those found guilty have been executed. We believe there may have been others.

According to the martial law ordinances, counsel may not appear before the courts on an individual's behalf, but "friends" may. Under a recent amendment to the ordinances, civilian courts may in some instances review the proceedings of the martial law courts. In November 1977, the Bangladesh Government announced the release of a political prisoner after a high court ruled that her detention under emergency powers was illegal.

e. Invasion of the Home

Bangladeshi authorities do not engage in arbitrary invasion of the home; during the Mujib regime they did.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The ability of Bangladesh to carry out programs to improve the welfare of its citizens depends in the first instance on effective institutions and strong leadership. For some time after independence, near anarchy prevailed and the Bangladesh Government was only gradually able to meet the most basic responsibility of government, the maintenance of public order. Most roving bands of former "freedom fighters" were eventually disarmed or integrated with the regular military forces, but some armed dissident activity continues.

In the two years since Zia took power, the government has made progress -- albeit with occasional setbacks -- toward extending control throughout the country, bringing discipline to the armed forces, and establishing a local infrastructure. Three moderately good crop years have contributed to greater stability, owing to the close relationship between adequate food and political stability.

Moreover, Bangladesh has been spared its usual quota of natural catastrophes in the past few years. This has allowed the Bangladesh Government to address the almost overwhelming economic problems it faces. There is encouraging evidence that President Zia is moving to implement economic policies designed to meet the basic needs of the vast bulk of the rural population -- nearly all of whom can be defined as the "poorest of the poor". Zia recognizes that their needs can be met only through redressing the current serious imbalance between rapid population growth and lagging agricultural productivity. Accordingly, he has set population control and food production as the top priorities for his government.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

The ban on political activities has restricted freedom of assembly but has been partially lifted to allow political parties banned by Mujib to hold indoor political meetings. The right of freedom of expression, including freedom of speech and of the press, has been curtailed by the state of emergency and the martial law regulations. Since the Zia government came to power, however, no newspapers have been forced to close. There is a good measure of press self-censorship, but some newspapers are often critical of the government. Strikes are banned under the martial law regulations, but other forms of trade union activity are permitted. Bangladeshis, including the substantial (16%) Hindu minority, enjoy freedom of religion. Most of the Hindus who fled their villages for India during the troubles of 1971 returned the following year and have remained in Bangladesh since then.

In the traditional Muslim social milieu of Bangladesh women play a secondary role to men and are seldom seen in public. The 1972 Bangladesh constitution, however, provides for equal rights for women in all spheres of public life, and women do hold a few senior government positions, including one at the cabinet level. President Zia's personal attention recently has been focused on addressing the needs of women.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Bangladeshis, including the "Bihari" (non-Bengali Muslim) minority, have freedom of movement within Bangladesh. All Bangladeshis who are regarded as citizens are entitled to receive passports and travel or emigrate abroad. Pakistan has recently agreed to let 25,000 "Biharis" travel to Pakistan. A much larger number of "Biharis" have applied for "repatriation" to Pakistan but Pakistan has not agreed to accept them.

The Bangladesh Government regards these persons as having forfeited their citizenship.

c. Freedom to Participate in the Political Process

The Zia government, which inherited a situation where political activity was banned, has permitted a number of political parties to engage in limited government-approved activities after government review of their backgrounds. The 20 parties which have received such permission represent a broad spectrum and include the Awami League of the late President Mujib. Three parties were declared illegal following an attempted coup in early October: the Communist Party of Bangladesh, the radical JSD, and the Democratic League of former President Mushtaque. Statements by government officials have attempted to link at least the first two with involvement in the October, 1977 coup attempt. A referendum on President Zia's role was held in May, 1977 in which he won an overwhelmingly positive vote. As part of President Zia's program to install popularly elected local government bodies, elections for union (groups of villages) councils and municipal councils were held in January, August, and September, 1977. This restoration of political activity is a prelude to general elections which are scheduled for the end of 1978.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Bangladesh Government has been willing to allow independent outside investigation of alleged human rights violations. In the spring of 1977, officials of Amnesty International received considerable cooperation from government officials, in particular Zia. American Embassy personnel have discussed both specific and general human rights subjects with Bangladesh Government officials, including the President, and have found them responsive.

EGYPT

The trend in Egypt continues to be one of gradual increase in political and economic freedom for all its people. The 1972 "freedom law" and the 1971 constitution are the major instruments for promoting this trend. In contrast to the later years of the Nasser regime, the new structure of constitutional and statutory law is respected by the security authorities, who since 1972 are subject to criminal charges if they infringe upon guaranteed liberties.

The power of the judiciary was reduced by Nasser in 1969. A number of judges fled or went into exile at that time. Under President Sadat, they have returned to the courts and the legal system accordingly has gained in prestige and credibility. Wrongs of the Nasser period are being redressed in the civilian courts--sequestered properties returned, compensation awarded for nationalization, fines and jail sentences levied on police and military authorities who ordered torture and illegal detention. Egyptians today are enjoying civil and political freedoms to an unprecedented degree.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture is now strictly forbidden under Egyptian law. An individual who claims to have been tortured or mistreated after arrest has an effective right of redress in the courts. Several individuals have filed suit against police officials of the former Nasser Government accused of torturing prisoners. Some of these officials have been convicted and imprisoned. Amnesty International in late 1977 reported the complaint of one alleged victim of torture under the Sadat Government. This first report has not been substantiated.

b. Cruel, Inhuman or Degrading Punishment

The death penalty is reserved for a limited number of crimes (e.g. treason and murder) but is rarely carried out in practice; lengthy imprisonment is the general rule for serious crimes. The penal code provides for lengthy sentences for a wide variety of other crimes, including disrupting the public order, though actual sentences generally are less than the maximum.

c. Arbitrary Arrest or Imprisonment

Arbitrary arrest and imprisonment are forbidden by law and apparently have ceased in Egypt. Government officials who violate these laws are subject to criminal charges.

After the January 1977 riots, more than 1,000 individuals were detained on charges of participating in or inciting the demonstrations. The majority (many of whom were juveniles) were released immediately. The remainder are now undergoing public trial and several of those whose trials have been completed were acquitted and released. While it is impossible to say that abuses of police power have been entirely stopped, they are in direct violation of state policy.

d. Denial of Fair Public Trial

All Egyptians are guaranteed by law the right of due process and equal treatment including fair trial. To the best of our knowledge, these guarantees pertain. Those accused of espionage or military security crimes are tried by military court. Other defendants have the right to public trial. In some cases, military trials also have been open to the public.

e. Invasion of the Home

Arbitrary home search and seizure and telephone tapping are now forbidden and a court order is required. Government officials who violate this law are subject to criminal penalties.

2. Recent Trends in Government Policies Relating to the Fulfillment of Basic Needs for Food, Shelter, Health Care and Education

The Egyptian Government's policies and programs reflect a concern for the needs of its people. Delivery of such basic services as health care, education and social welfare extends out from urban areas to remote villages and, in relation to Egypt's state of development, compares favorably with most other developing countries. The "economic open door" policy announced in 1974 has worked in its initial stages to the profit of a small elite of traders, whose conspicuous consumption (after years of wealth-concealment

under the nationalization-minded Nasser) has exacerbated tensions among social classes. Such was not, however, the intent of the enabling legislation, which has recently been revised to eliminate tax evasion and other abuses.

Responding to the appeals of the millions of poor and lower middle-class Egyptians, whose living standards are declining, Sadat has emphasized that food and housing are the two highest priorities of his administration. The Egyptian Government heavily subsidizes basic foods and other commodities. These and other heavy government expenditures in the areas of defense and social services led the IMF and other donors to urge the government to reduce its subsidies. The government attempted such reductions in January 1977. The urban poor, already seriously affected by economic adversities, rioted. Faced with this challenge, the government concluded that it was politically infeasible at that time to reduce the subsidies and consequently rescinded the decision.

There remains much room for improvement of basic services. Given Egypt's poverty and its balance of payments situation, Egypt's ability to improve these services will be heavily influenced by the continuation of foreign financial assistance for the country's general development. In this context, our aid program is an important tool. The aid program is designed to buoy up the economy, to build up basic infrastructure and to lay the base for economic growth. As this goal is realized, our assistance should increasingly address questions of equity and basic needs of the poor majority. Our food assistance, population, health, agriculture and other related efforts are important steps in this direction.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Under President Sadat, the police state atmosphere of the previous regime has virtually disappeared. Dissent is permitted to an unprecedented degree, although there are generally understood proscriptions which apply largely to the media. We know of no cases in which an individual has been arrested merely for criticizing the government.

The press in Egypt is largely owned by the Arab Socialist Union, a mass organization under the control of the Egyptian Government. Television and radio are state-controlled. Editors are expected to exercise self-censorship, especially on sensitive matters (e.g. military preparedness). Leftist journalists who oppose GOE internal and foreign policies rarely see their articles in print. Legally constituted political parties are permitted to publish their own journals.

Egypt is a multi-racial society. By constitution it is an Islamic state which guarantees freedom of religious expression. A large Coptic minority participates fully in the life of the country. There have occasionally been allegations from outside of Egypt that the government discriminates against its Coptic citizens. There is, however, no available evidence of officially inspired acts of religious discrimination. President Sadat and other senior Egyptian Government officials have publicly emphasized the need for religious tolerance. Recently there has been concern in the Coptic community about draft legislation designed to bring the Egyptian legal code in line with strict adherence to Islamic religious law. The government has assured the Copts that the bills would not be put to a vote this year. President Sadat has reiterated his strong belief in religious freedom, thereby calming Coptic concerns.

Since establishment of the state of Israel, the Jewish population in Egypt has declined from about 80,000 to about 1,200, mostly elderly people. The Egyptian Government does not restrict Jewish emigration, and relations between the Jewish community and the government are good. Egypt permits non-Israeli citizens who are members of the Jewish faith to travel freely in Egypt.

Women enjoy relatively high status in Egypt. The right to vote, to volunteer for non-combat duty in the armed forces, to enter into economic activity outside the home, and to exercise other rights of citizenship is assured. Women are especially well represented in medicine and education. In 1969, the first woman was named to a cabinet position. At present, the Minister of Social Affairs and the chairperson of the Foreign Affairs Commission of the People's Assembly are women.

Despite such positive indicators concerning their status in Egyptian society, women generally continue to be educationally disadvantaged. Particularly in the rural areas, and within more traditional and conservative Muslim communities, women are still expected to accept a subordinate role centered largely on the home.

The organized trade union movement represents about seven and one-half million members. While unions are technically under the auspices of the Arab Socialist Union, their independence and freedom of action have steadily increased in recent years. Most industry in Egypt is at least partially government-owned, and consequently trade union influence in the Egyptian Government has helped union leaders in negotiating with these industries and in influencing labor and other economic legislation in the People's Assembly. Conversely, the government has a considerable say in identifying acceptable candidates for positions of leadership in the labor movement although final selection among such candidates is determined by free election. Workers do not enjoy the right to strike, but there have been occasional wildcat strikes. The government has generally not taken action against these illegal strikes.

The sole tangible setback to the gradual political liberalization under Sadat has been his decision, taken in the wake of the January 1977 riots, to limit the right of assembly and lay down severe penalties for those who strike or demonstrate against the national interest. These new penalties have not been applied to those indicted for participation in the riots, although the trial of 176 suspected communists accused of incitement is not yet concluded.

b. Freedom of Movement Within the Country, Foreign Travel and Immigration

Egyptians are free to travel anywhere in Egypt and are free to travel abroad except to Israel, with which Egypt is in a state of war. They are free to emigrate. The present Egyptian Government, in contrast to past ones, now frequently honors requests for refugee treatment by nationals of other nations.

c. Freedom to Participate in the Political Process

Egypt has universal suffrage. The parliamentary campaign of 1976 under Sadat was free and hotly contested. According to the constitution, the president is elected in the

parliament, and the Assembly's choice is submitted to the people for a yes-no referendum.

President Sadat has publicly affirmed his commitment to a liberalized political system. In early 1977, the People's Assembly legalized a political party system for the first time since the revolution in 1952. Any twenty members of the Assembly may apply for permission to form a political party if their platform is distinguishable from the existing three parties and falls within the broad constitutional description of the state as democratic and socialist. Independents may also run for seats in the Assembly and a wide range of opinion from Marxist left to religious right is represented there. Debates are free and frequently quite lively. Political organizations based on religious lines are not permitted to form parties. President Sadat has spoken repeatedly about the danger to the republic inherent in the philosophy of Egyptian Marxists, but at the same time, he has reiterated that every citizen must have the right to participate in the political process.

4. Government Attitude and Record Regarding International and Non-Governmental Investigations of Alleged Violations of Human Rights

The government is willing to permit visits by international groups wishing to investigate human rights concerns in Egypt and has allowed such investigations in the past, most recently by Amnesty International in May 1977.

INDIA

Human rights and democracy have been restored in India. The period of emergency rule, June 1975 - March 1977, included numerous reports of violations of basic rights connected with the arrest and detention of political prisoners as well as restrictions on many basic personal and civic freedoms. These policies and practices disappeared following the inauguration of the Desai government in March 1977 and the termination of emergency rule.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Unlike during the emergency period, there have been no reports of torture since the inauguration of the Desai government in March 1977.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Unlike during the emergency period, there have been no reports of cruel, inhuman or degrading treatment or punishment since March 1977.

c. Arbitrary Arrest or Imprisonment

The government informed Parliament on November 23, 1977 that the total number of detainees in jail under the Maintenance of Internal Security Act (MISA) was 403 as of November 12, compared to 6,851 on March 25, 1977. Of these, 388 were foreigners awaiting deportation from India. We have no information on the remaining 15. We believe the government's figures are accurate.

The Indian Home Ministry reported in July 1977 that arrests under the Defense and Internal Security of India Rules (DISIR), also adopted to permit arbitrary detention, totalled 39,832 as of March 1977 covering all but seven states for which data were not available. The central government issued instructions that all cases under DISIR be dropped or withdrawn excepting those involving violence and that persons undergoing sentences were to be released subject to the same exception.

A government report tabled in Parliament on November 16, 1977 noted that 297 persons were being detained, perhaps under DISIR, in 18 states and union territories. Under the Indian Constitution, the states are responsible for the administration of police powers.

The government promised a report on the exact status of Naxalites, members of an extremist revolutionary group accused of violent activities, principally in West Bengal, beginning in the late 1960s. A large number of Naxalites, some estimates ranging as high as 10,000, were under detention by the state governments up to March 1977. Although precise numbers are lacking, the great majority appear to have been released in March-April following a recommendation to that effect to the states from the new government. However, an undetermined number of Naxalites face criminal charges such as arson and murder.

The government has also stated that it will table data on the detention of members of the Ananda Marga, a religious organization which the Indian authorities have accused of violent activities. Currently 17 Ananda Margis are known to have been convicted of or charged with criminal offenses.

Although the emergency has been lifted, laws which permit preventive detention with certain legal safeguards remain on the books. There have been no cases in which the new government has invoked these powers. Legislation is expected in early 1978 revoking or amending present detention laws.

d. Denial of Fair Public Trial

Since the lifting of the state of emergency there have been effective legal safeguards for insuring fair and public trials to those charged with any category of offense under the law.

e. Invasion of the Home

Since March 1977, there have been effective legal safeguards against arbitrary invasion of the home.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education.

The Desai government has made a commitment to increasing rural income levels through increased investment in rural infrastructure and in the development and expansion of small industries. It has pledged to eliminate destitution in ten years. Janata Party proposals specify that at least 40 percent of development funds be allotted to the agricultural sector. If realized, such an allocation will stand in sharp contrast with the 12-15 percent share previously reserved by the Five Year Plans for agricultural programs. Nonetheless, there will be numerous practical difficulties to overcome, including insufficient state funds for implementation of ancillary programs, the absence of enthusiasm in most states for land reform and the lack of agricultural credit to help the rural poor.

The government announced in an April 28 policy statement that it intends to mount an integrated family welfare program which will include population planning, nutrition, clothing, shelter, education and women's welfare. The goal is to promote total welfare of the family and the community. Although not specifically addressed to the condition of poor and rural women, such a program could help improve their condition. Women often have received less official attention and fewer welfare resources in the past than men. With respect to family planning, the government stated there will be no compulsion, coercion, or pressure of any sort; the approach is to be educational and wholly voluntary.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

There is full freedom of thought, speech, press, religion, and assembly in India. There are no restrictions on the activities of trade unions.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There is full freedom of movement within India for all citizens regardless of ethnic or religious background, except for a longstanding requirement of permits to enter sensitive tribal border areas. There is also freedom of foreign travel and emigration. The passports of a limited number of people associated with the previous government have been impounded in connection with the investigation of alleged criminal cases. The Desai administration has said that the process of passport issuance is to be simplified and expedited to facilitate travel.

c. Freedom to Participate in the Political Process

Democracy has been fully restored in India under the Desai government.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

There have been no international investigations of human rights conditions in India since the termination of the emergency in March 1977. However, it is likely that the present government would cooperate fully with such efforts should aspects of the Indian human rights record come into question. It has appointed its own commissions to investigate offenses committed under the emergency. Recent charges of attacks on untouchables (known as Harijans) in rural areas of Bihar State were followed by the appointment of a commission of inquiry. The efforts of the unofficial Tahkunde Commission, headed by a retired Justice of the Supreme Court, to investigate the state of civil and human rights under the emergency have been strongly endorsed by prominent members of the government, including Prime Minister Desai.

IRAN

For the last three decades Iran has been engaged in a forced pace modernization of its economy and social system. During this period the Iranian Government has faced major internal and external challenges. Twice in this century, Iran has been partially occupied by the Soviet Union, whose objectives continue to be of major concern to the Iranian Government. Internally, Iran has faced strong opposition to its modernization and reform programs -- from both the entrenched landowners and conservative religious leaders and from the far left. Following a near takeover of the government by the communist Tudeh Party in 1953, the advocacy of communism was made illegal. In more recent years, small groups of extreme rightist and leftist terrorists, who have received substantial foreign support and training, have murdered a number of Iranian officials and six Americans.

Since World War II, Iran has given high priority to economic development, providing such human needs as health care, social services, housing and education, and to the national integration of an ethnically and linguistically diverse population. Political power increasingly was concentrated in the monarchy. The government has dealt firmly -- and at times harshly -- with persons from both left and right charged with committing acts against state security, or believed to constitute a serious political threat. Iran has relied on a military court system separate from the normal civilian court system when dealing with persons suspected of crimes against state security. Although procedures of this court have not adequately protected due process, some potentially significant improvements in this system were instituted during the past year.

1. Respect for the Integrity of the Person, Including Freedom from:

- a. Torture

The Iranian Penal Code prohibits torture and provides severe penalties for violators. While the Government

of Iran has not said so publicly, there are reliable reports that several relatively low-ranking officials have been tried and convicted for violations of the code. The Shah has publicly stated that torture is not now practiced.

The 1976 report of Amnesty International offered documentation on specific cases of alleged torture going as far back as the 1960s. Amnesty's 1977 report does not refer to any cases of torture. The International League for Human Rights 1976-77 annual review mentions torture. In Congressional testimony of October 26, 1977, the Chairman of the Executive Committee of the International Commission of Jurists (ICJ) stated that the ICJ was not aware of any case of torture in Iran for at least the previous ten to eleven months. The Department of State itself has received in recent months significantly fewer allegations of torture in Iran than was the case in previous years and does not believe torture has been used recently.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Individual complaints as well as the reports of various international human rights organizations allege that prison conditions and the treatment of prisoners continue to be inadequate. The Government of Iran is attempting to improve prison conditions and treatment of prisoners. In 1977, at the initiative of the Iranian Government, the International Committee of the Red Cross twice inspected Iranian prisons. The U.S. Government has not seen the ICRC's reports of these inspections inasmuch as they are confidential and only for the use of the government concerned. Several foreign journalists also visited prisons within the last year. We believe the Iranian Government is committed to prison reform and that prison conditions have indeed improved.

c. Arbitrary Arrest or Imprisonment

Cases of arbitrary arrest and imprisonment have occurred. In 1976, it was our estimate that the number

of state security prisoners ranged between 3,300-3,700. During 1977, however, a series of amnesties and the normal completion of prison terms reduced the total to about 2,200, of which the large majority were in jail for crimes involving violence or conspiracy to commit violence.

Iranian law combines in one organization -- SAVAK (The State Organization for Security and Intelligence) -- the duties of both the police and the examining magistrate. In some cases, SAVAK has appeared to use its authority to arrest without a warrant anyone suspected of involvement in a crime against state security. Pursuant to the French system, from which the procedure was copied, SAVAK then has carried out an initial investigation and determined initial charges. Some individuals have been held up to several months while investigations were being conducted. During initial detention, counsel has not been provided for the detainee, and contact with family and friends has been prohibited or severely restricted.

Amnesty International and the ICJ have criticized the combining in SAVAK of police and magistrate duties and the holding of prisoners for lengthy periods, sometimes incommunicado, without formal charging. An ICJ official representative presented to the Shah specific proposals for separating the police and magistrate functions and Amnesty International has also discussed the possibility of change with the government.

We also believe that the separation of these two functions would improve due process procedures.

The Code of Military Procedures section dealing with bail and initial charges against detainees has been changed by an amendment, which went into effect in December 1977. The key portion of the wording requires that a detainee "be questioned within 24 hours after he is brought before the examining magistrate who shall thereupon issue an appropriate warrant, be it a warrant for the release of the accused on bail or for his imprisonment." The ICJ representative questioned

whether this wording will offer sufficient protection to an individual in view of possible delay before the arrested person is brought before the magistrate.

d. Denial of Fair Public Trial

Civil and criminal cases, except for the relatively few having to do with state security, are tried in the civilian court system in which full guarantees of civil rights exist. In its 1976 report, the ICJ examined this regular judicial system and found it generally satisfactory. Administrative reforms enacted in the summer of 1977 have significantly speeded up trials in these civilian courts. Students and others brought to trial in civilian criminal courts have come before a judge within four days to three weeks time, depending on the complexity of the case. This is a significant improvement over conditions which pertained through most of the 1970s.

Those accused of a crime related to state security, as defined in Iranian law, are tried before Iranian military courts and under the relevant legal code for these courts. Between 1973 and 1977 most of the state security trials were in camera, and the system appears to have contained important due process deficiencies.

Potentially significant amendments to the military court code came into effect in December 1977. Now "civilian defendants may make their choice among civilian defense attorneys" (Article 182). The same article grants "complete freedom to the defense counsel." Under Article 184, counsel is now granted "up to 15 days" (previously, five days) to study the case prior to trial. Article 192 has been changed so that "military tribunals shall always hold public sessions unless, in exceptional cases where a public session may be deemed to be against the public order, national interest or accepted moral standards." In the latter cases, the court will make a decision on the basis of the prosecutor's request for trial in camera. Article 203 previously declared that "in the pronouncement of the verdict, the judges are free subject to the provisions of law." The new wording says judges "subject to provisions of law and with due regard to the

character of the defendant will pronounce their verdict in complete liberty and independence."

The ICJ representative has stated that his organization views these amendments with "cautious optimism", while other non-governmental organizations have questioned the adequacy of the changes. The coming months should demonstrate the real significance of the changes and the extent to which important due process deficiencies have been removed.

e. Invasion of the Home

Iran's constitutional law of 1907 states "Everyone's house and dwelling is protected and safeguarded. No one may enter forcibly into any dwelling except by order of and in conformity with the law." In normal practice, police officials apply to local magistrates for a warrant when they wish to search a home. Security police have acted in some instances without such a warrant.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Meeting the economic and social needs of Iranians, particularly the poor, has been emphasized by the government for nearly two decades, especially since the Shah gained secure control of the government in the early 1960s and instituted major economic and social development plans and the reform program known as the Shah-People Revolution.

Iran has had five-year development plans since the late 1940s, but it has been only since the 1973 increase in oil prices that the government has had significant financial resources to implement its plans. Roughly two-thirds of the Iranian Government's total spending in the period 1973-78 can be classified as outlay for economic development and social welfare programs. Per capita income is now about \$2,000. The Shah-People Revolution emphasizes the fulfillment

of human needs. A major land distribution and reform program, initiated in the early 1960s, ended Iran's traditional feudalism and beneficially affected at least a third of the population directly and perhaps another 30 percent indirectly. An early reform involved a profit-sharing scheme for industrial workers. A more recent addition to the program provides a stock divestiture system to pass 49 percent of the ownership of certain industries to workers and farmers. A literacy corps has helped over two million Iranians to read and write. A similar program related to health has helped move the services of doctors and nurses out into rural areas. During the past 15 years, life expectancy has increased from 41 to 53 years. An extension and development corps gives basic technical advice to the rural poor. Houses of Equity have been formed in many villages to provide prompt court service in minor cases covering a wide range of subjects.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Iranian law prohibits the advocacy of communism, attacks on the monarchy or the basic tenets of the political system, and advocacy of violence. The interpretations given at any particular time by the authorities as to what constitute violations of these prohibitions have on some instances limited freedom of speech, press and assembly.

Foreign publications of many viewpoints, including some sharply critical of Iran and the Shah, are widely sold. Domestic newspapers and journals (radio and TV are government-owned) are bound by the restrictions noted above and receive governmental guidance on how to treat what the government regards as sensitive issues -- particularly foreign policy and security matters. Government domestic policy and program implementation are discussed and criticized in the local media.

In a March 1976 report on Iran, an ICJ representative concluded that there are limitations on freedom of the press and freedom of speech resulting from the penalties which have been imposed for expression of dissent. In a brief comment in its November 1976 report, Amnesty International referred to "the suppression of political opposition" and an "atmosphere of fear."

The PEN American Center has protested the government of Iran's alleged mistreatment of some writers and urged the re-activation of the Writers Association of Iran. So far, the government has not permitted the re-establishment of the Writers Association.

According to law, labor in Iran is free to organize. The Iranian Workers Organization, a governmentally controlled union, represents 17 federations which in turn are composed of 750 unions having about 600,000 members. Strikes are illegal, but a substantial number of wildcat walkouts do occur.

The Shia sect of Islam predominates in Iran, but the country is proud and supportive of its long history of religious tolerance which permits religious minorities to practice their faith openly and participate fully in civil life.

Restrictions on the right of assembly are applied to persons seen by the Iranian authorities as advocating subversion, violence or communist doctrines. Restrictions have been particularly tight on university campuses and have led periodically to clashes between security forces and students and other dissidents. In November 1977, several gatherings involving students and others expressing opposition to the political system or complaining about alleged human rights violations were forcibly disbanded by the police. Some injuries resulted from this police action. About 200 individuals were arrested, but most were later released; fewer than 100 have been charged. It is expected that they will be tried for misdemeanors before the civil court system.

In January 1978, a clash took place in Qom between local police and demonstrators. The demonstrators were objecting to a newspaper attack on a conservative religious leader, living in exile in Iraq, on the anniversary of the land reform and liberalization of women's rights carried out by the Shah's government 15 years before. After unsuccessful police efforts to halt the protest march, shots were fired and up to 14 people were killed.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Iranians enjoy extensive freedom of movement within Iran and abroad. The government has denied passports to some individuals who the government believes will engage in activities abroad detrimental to the country. The provision, rooted in Islamic law, that a wife must have her husband's permission to travel abroad and a child under 18 must have his father's permission can in effect also restrict freedom of travel. These latter restrictions have been eased over the past year.

Iranian law does not provide for emigration. However, Iranians who acquire citizenship in another country without previously informing the Government of Iran may apply to the government for recognition of their new citizenship status. Approval of such applications is normally extended. Also, Iranian citizens over 25 years old who have completed their military obligations may submit a renunciation of citizenship, which requires the approval of the Council of Ministers.

c. Freedom to Participate in the Political Process

Iran is a constitutional monarchy with a lower legislative body and a senate. The lower house and half the senate are elected under full adult suffrage. The other half of the senate are chosen by the Shah. Power and decision making are concentrated around the Shah.

Two years ago one political party (Resurgence), which by decree encompasses all citizens, was established. This is the

only political party permitted to operate in Iran. The Government's stated objective is to develop a broad political movement to support its development and modernization programs. Within the new party, there is critical debate, particularly on local bread-and-butter issues. Royal commissions and inspectorates, which have been increasingly active in recent months, directly criticize government performance -- often on TV -- and the press is attentive to problems of waste and corruption. Over the past 18 months, decentralization has begun to pass modest decision-making and resource-allocating power to provincial and local government units. Elected provincial councils comment frequently on local administrative shortcomings.

Some Iranians overseas, including students, regularly criticize the Iranian political system, including the limitations on political expression. Private letters objecting to specific aspects of the Iranian governmental system have been freely circulated in Iran recently. Amnesty International has objected to the creation of a one-party system.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

Until 1975 Amnesty International was the principal outside organization monitoring Iran's human rights practices. The Government of Iran, which was very irritated by Amnesty's criticisms of human rights conditions in Iran, particularly its allegation that there were 100,000 political prisoners, would not cooperate with that organization. During 1977, however, the Shah met privately with the Secretary General of Amnesty International and contacts with Amnesty have been maintained at other levels.

On the other hand, the Government of Iran has been more forthcoming in dealing with the International Commission of Jurists. In 1975 government officials cooperated extensively with ICJ officials who were

preparing a report on human rights in Iran which was published in 1976. The Chairman of the Executive Committee of the International Commission of Jurists had a long audience with the Shah in 1977, during which a number of amendments to the military penal code were discussed, many of which were enacted into legislation later in the year.

The Iranian Government invited the International Committee of the Red Cross to carry out two inspections of Iranian prisons. We do not know of any Iranian reply so far to the International League of Human Rights 1976-77 report. Finally, prison visits and interviews with prisoners by foreign journalists were arranged during 1977.

ISRAEL AND THE OCCUPIED TERRITORIES

Because of the sharply differing politico-social environments in Israel and in the Arab territories Israel has occupied since the 1967 war, discussion of this subject must be treated in separate but parallel fashion for the two areas. Therefore, for its first three sections, this report is divided into separate narratives for Israel and the occupied territories.

Israel is a full-fledged parliamentary democracy whose standards and administration of justice within Israel proper are comparable to those of the United States and other Western democracies. The Israelis judge themselves in accordance with these standards.

Under the military regime that governs the occupied territories, certain of the normal human rights guarantees that are taken for granted in Israel proper have been superseded on security grounds. This dichotomy poses a dilemma that will probably be resolved only in the context of a final peace settlement with their neighbors.

Israel

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

The use of torture in Israel is prohibited by law and is virtually unheard of. Amnesty International has in recent years raised questions with the Israeli Government concerning reports in the Israeli press about two possible instances of the use of torture. We have no information that would corroborate these reports.

b. Cruel, Inhuman or Degrading Treatment or Punishment

With rare exceptions, this is neither sanctioned nor practiced in Israel, and law enforcement is carried out without the excessive use of force. Exceptions have occurred on two occasions in recent years when force was used to quell violent demonstrations by Israeli Arabs protesting land expropriations and demolition of unauthorized structures, resulting in several deaths and injuries.

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c. Arbitrary Arrest or Imprisonment

In Israel proper, this is not practiced. Writs of habeas corpus and other guarantees of due process of law are employed, and defendants are considered innocent until proved guilty. Preventive detention is legal during periods of emergency but is not usually practiced.

d. Denial of Fair Public Trial

The right to a fair hearing by an impartial tribunal with representation by counsel is observed. With the exception of security cases, all trials are open. In security cases, Israeli law provides that part or all of a trial may be closed, with the burden of justifying in-camera proceedings falling on the prosecution. Counsel is always present during closed proceedings.

e. Invasion of the Home

There are effective legal safeguards against arbitrary invasion of the home.

2. Government Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Israel is a welfare state whose economy is organized along the general lines of the Western European mixed economies. Income distribution in Israel is relatively egalitarian. All Israelis are guaranteed good health care, and housing for the poor is modestly subsidized. Since 1948, Israel has taken in well over one million largely impoverished Jewish refugees from Europe, the Middle East, and North Africa, and has integrated them into its society and economy. Integration of smaller numbers of immigrants continues at the present time. Because of the wide disparity in educational and cultural backgrounds, there remains a considerable economic and social gap between the Ashkenazi (European) and Sephardi (Middle Eastern) Jewish communities, which the government is committed to narrowing.

All Israelis are guaranteed free public education through the sixth grade and more than half of all secondary students receive full scholarships. There are parallel educational

systems for Jews and Arabs, conducted in Hebrew and Arabic respectively.

Average per capita income among Arabs in Israel is probably higher than in any of the surrounding countries and is, in fact, higher than that of Jewish Israelis of Sephardi origin.

The title to most of the land in Israel is held by state organizations in trust for the Jewish people. Arabs, many of whom are engaged in agriculture, are unable to acquire additional land, except through purchase from other Israeli Arabs. Moreover, there have been frequent complaints that expropriations of Arab land, although subject to legal review as to purpose and amount of compensation, have not been for the benefit of the Arab community, but rather for promoting Jewish settlement in densely Arab-populated areas. The Government has said it plans no more expropriations in the foreseeable future.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Israelis of all faiths and ethnic groups continue to enjoy freedom of religion, expression, and assembly. An anti-proselytizing measure adopted by the Knesset on December 27, 1977, which outlaws the offering of bribes or material benefits as an inducement to religious conversions, has caused unease among some Christian groups in Israel because of its vague wording, but it is too early to judge if there is any valid basis for this concern.

There is full freedom of speech in Israel. Both the Hebrew and Arabic press are free and express a wide variety of political opinions, although all newspapers are subject to censorship on security and military matters.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

All Israeli citizens enjoy freedom of movement within the country and are free to travel abroad or emigrate.

c. Freedom to Participate in the Political Process

Israel is a parliamentary democracy, and Israelis enjoy the freedom fully to participate in the political process. The country underwent an orderly major transition with the elections of May 1977, when the party in power since the founding of the state was replaced by its traditional opposition.

The organized labor movement functions without hindrance and in fact wields great political and economic power. The right to strike is exercised frequently and effectively. Most workers, Arab as well as Jewish, are members of the Histadrut, the general confederation of workers.

Because of the explicitly Jewish character of the state, and the continuing total isolation of Israel by most of its Arab neighbors, the Arab minority tends to feel powerless and largely alienated from Israeli society. Despite some limited governmental and private efforts to bridge the gap, there is very little social interaction between Israeli Arabs and Jews. Nevertheless, the Arab minority has equal rights under the law, and proven instances of discrimination in violation of the law are rare. Although subtler forms of discrimination, in such areas as employment and appointment to government positions, do occur, some Arabs have risen to responsible positions in the civil service, and at least one has served in the position of deputy minister. Unlike Jewish Israelis, Arabs are not subject to the military draft.

Occupied Territories

Israel's occupied territories consist of the West Bank of the Jordan River, the Gaza Strip, most of the Sinai Peninsula, the Golan Heights and East Jerusalem. The complex human rights situation in the occupied territories, particularly in the West Bank and Gaza, where virtually all of the settled Arab population is located, is largely a result of the tensions between the occupying authorities and the indigenous population, mostly Palestinian Arabs.

The occupied territories are under military government, and law enforcement and public security are in military rather than in civilian hands. Although Israel rejects the view of the United Nations (including the U.S.) that the stipulations

of the Fourth Geneva Convention concerning the protection of civilian populations under military occupation apply to its governance of the occupied territories, Israel claims it voluntarily observes most of these stipulations. The major exceptions are with respect to those provisions prohibiting the introduction of civilian settlers from the occupying power into occupied territories and the punitive deportation of individual inhabitants. In contravention of the generally accepted interpretation of the Convention's Article 49, Israel has established over 70 nonmilitary settlements in the occupied territories, with a total population of about 8,000 people.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Allegations about the use of torture by Israeli officials during interrogation of Arab security suspects have been raised frequently. The most widely publicized allegations of this kind were contained in a lengthy report in the June 19, 1977 issue of the Sunday Times of London, which charged that there was a widespread pattern of officially condoned use of torture during interrogations in the occupied territories. This led to a lengthy series of rebuttals and counter-rebuttals, both from official Israeli sources and in the press.

The Government of Israel denied the Sunday Times story, pointing out that use of torture is both contrary to official policy and prohibited by law and the Sunday Times itself later narrowed the scope of its allegations. To reinforce this policy, we understand from press reports that Prime Minister Begin, shortly after returning from the United States in July 1977, reconfirmed existing instructions concerning humane treatment of prisoners. To deter further allegations of mistreatment, Israel recently agreed to allow representatives of the International Committee of the Red Cross (ICRC) resident in Israel to visit detainees during the period of their interrogation, beginning on the fourteenth day after arrest. Previously, ICRC representatives have been allowed access to prisoners only after a longer period of time.

We know of no evidence to support allegations that Israel follows a consistent practice or policy of using torture during interrogations. However, there are documented reports of the use of extreme physical and psychological pressures during interrogation, and instances of brutality by individual interrogators cannot be ruled out.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There have been instances in which Israeli troops, usually inexperienced reservists, used excessive force in quelling demonstrations and restoring order. These actions did not reflect government policy. The Israeli Government is investigating reports of the recent beating of two Arab students by military authorities, allegedly for having participated in anti-Israeli demonstrations at Bir Zeit University. In several instances individuals found guilty of such excesses have been disciplined and, in at least one case, sent to jail. Steps have also been taken to provide riot-control training and equipment to special units in an attempt to avoid repetition of such occurrences.

In contravention of the Fourth Geneva Convention, occupation authorities have selectively expelled residents of the West Bank and Gaza suspected of having or known to have engaged in terrorism or anti-Israeli political agitation, although this practice has declined greatly in recent years. Other individuals convicted of or suspected of terrorism have had their homes demolished or sealed up and their families displaced, thereby inflicting a type of collective punishment.

Overcrowding in prisons where security offenders are held, especially at Ashkelon, led to a series of hunger strikes by prisoners in early 1977. The ICRC, which does not normally speak out publicly, issued a statement noting that, while there had been some improvements, some of its recommendations to the Israeli authorities for improvements in medical services, cultural facilities and family contacts had not yet been implemented. There have been no recent ICRC statements on this subject.

c. Arbitrary Arrest or Imprisonment

As of July 1977, there were about 3,100 non-Israeli-citizen Arabs under arrest or in prison in Israel proper, most of

whom were residents of the occupied territories. It is estimated that 75 percent of these were being held for security offenses, and of that number, about 20 are under administrative detention. The remainder of the alleged security offenders have either been tried and convicted by military courts, are awaiting trial, or are being held temporarily for investigation.

Administrative detention is provided for under both Israeli law and the Jordanian and British mandatory codes that were in force before 1967 in the West Bank and Gaza respectively, and which continue in force there. Under the Fourth Geneva Convention, this practice is not permissible beyond one year from the "general close of military operations." Israel maintains that administrative detention is necessary in the limited number of cases in which presentation of evidence in a court proceeding would compromise sensitive security information. Such information often includes the nature of the security offense of which the detainee is suspected. Military commanders are authorized to order the administrative detention without trial of any person on security grounds for up to six months. Such detention can be administratively extended indefinitely.

Administrative detainees have three forms of recourse from detention orders:

- All such orders are reviewed by a committee appointed by the regional military commander, which includes the regional legal advisor and which can hold hearings regarding the case.

- They have the right to appeal to an appeals committee, headed by a civilian judge on reserve duty; the committee reviews each case every six months, whether the detainee has appealed or not.

- They also have the right to petition the Supreme Court of Israel for a writ of habeas corpus.

In practice, these rights of appeal are rarely exercised and appeals have very rarely resulted in a reversal of the decision of the military authorities.

d. Denial of Fair Public Trial

As required by the Geneva Convention, Jordanian law (with a few Israeli modifications) is still in force in the West Bank in civil and criminal matters. Its adjudication has been left in the hands of the indigenous judiciary, which carries out its duties in an equitable manner. Residents of the occupied territories accused of non-security offenses receive fair public trials by local civilian courts. Alleged security offenders are, with the few exceptions cited in the above section, tried in Israeli military courts by military judges trained in law. These proceedings, although not always open to the public, are generally in accord with the standards of fair trials.

e. Invasion of the Home

Under standing emergency regulations, military authorities may enter private homes and institutions in pursuit of security objectives as they see fit. This has occurred frequently, sometimes resulting in damage to property and injury to inhabitants.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Residents of the occupied territories have complained that Israelis deliberately restrict economic development on both political and commercial grounds, thereby keeping the West Bank/Gaza as a captive market for Israel. Inhabitants of the occupied territories have also complained about the fact that Israel has applied the value-added tax to their economy, in contravention of the Geneva Convention. A further problem results from the exploitation of a part of the West Bank's limited water resources for the use of Israeli settlements, which has in some cases caused Arab wells to dry up and has had detrimental effects on Arab agriculture. Nevertheless, real per-capita income has more than doubled under the Israeli occupation, largely because of the thousands of jobs now held by Palestinian Arab workers who commute to Israel proper, and the gap between income levels in Israel and the territories has narrowed steadily since 1967. The economy of the occupied areas themselves, however, has

remained relatively stagnant, and many individuals, especially those with higher education, feel compelled for economic reasons to migrate to Arab countries where greater economic opportunities exist.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Implicit in the concept of military occupation is the proposition that observance of civil rights and liberties must be restricted by perceived security requirements. Freedom of religion in the occupied territories is unqualified. Freedom of expression and freedom of assembly are restricted by Israeli interpretation of security requirements. The West Bank press is very outspoken, but is subject to censorship.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Freedom of movement is generally unrestricted in the occupied territories and thousands of Arabs travel daily to Israel for work. Vehicles owned by inhabitants of the occupied territories are frequently stopped for security inspection, particularly in Israel proper. Inhabitants of the territories, like Israelis, are required to carry identity cards. They are generally free to travel abroad and return, and many thousands cross the "open bridges" to Jordan every year. However, there are restrictions on the travel of individuals for political reasons. Inhabitants of the territories crossing from Jordan into the West Bank, as well as other Arabs or persons of Arab descent (sometimes including U.S. citizens), are subjected to rigorous searches of luggage and person for weapons and contraband.

c. Freedom to Participate in the Political Process

Israel has twice permitted election of mayors and city councils on the West Bank. Political activity other than campaigning for municipal elections is forbidden, and no political parties are permitted. Israel permitted Arab

nationalists outspokenly hostile to Israel to run for office in the second West Bank election and honored the results of those elections.

Israel and the Occupied Territories

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights.

The ICRC regularly inspects prison conditions in the occupied territories and has made recommendations for improvement. In 1970, the Israeli Government authorized Amnesty International to conduct an investigation into reports of ill-treatment of prisoners and detainees. Amnesty issued a report which described accounts of several cases of mistreatment it had received. Its recommendation of a formal inquiry with international participation was rejected by Israel. In October, 1976, Amnesty renewed its request for an investigation. Since then, it has expressed its concern about the imprisonment or treatment of a number of individual prisoners, Israeli Jews as well as Arabs, in several letters to Israel's Attorney General. According to an AI press release in the summer of 1977, none of these letters had received a reply.

For several years, the UN Human Rights Commission and other UN bodies have adopted resolutions condemning alleged Israeli human rights violations in the occupied territories. The United States has voted against most of these resolutions, which we regard as one-sided, politically motivated, and based on unsubstantiated allegations. Israel has been generally unresponsive to efforts by UN bodies to conduct investigations in territories under its jurisdiction, although it has made efforts to be forthcoming regarding visits by representatives of WHO, ILO and UNESCO. In 1976, Israel admitted an informal experts' group from WHO to conduct an investigation of health conditions in the occupied territories. When the group produced a report that reflected favorably on Israel's administration, the report was rejected by the WHO Assembly on political grounds, without reference to the merits of the report.

Because of this and other such incidents, Israel has not been disposed to respond favorably to requests for international investigations. On the other hand, its decision to permit ICRC access to prisoners during the interrogation period is indicative of a willingness to cooperate with international bodies it regards as responsible.

JORDAN

Under the leadership of King Hussein, Jordan has been politically stable in spite of its involvement in the Arab-Israeli conflict, its proximity to Israel and to potentially hostile Arab neighbors, and its large and restless Palestinian population. Faced with these internal and external challenges, the government has sometimes resorted to detention without trial.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

The use of torture is probably rare and is not condoned by the government. We do not know what disciplinary measures the government has taken against those accused of inflicting it.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Persons taken into custody may be subjected to rough treatment by their jailors. Cruel or degrading treatment or punishment is not officially sanctioned.

c. Arbitrary Arrest or Imprisonment

There is freedom from arbitrary arrest or imprisonment except in periods of war or major internal turmoil. Those arrested are usually arraigned within 24 hours.

Under Jordan's 1955 defense law, the country may be ruled by military edict in times of emergency. Such a state of emergency was last proclaimed in 1973 and is still in force. Under this edict, regular civilian courts continue to operate; however, provincial governors may arrest and bring to trial before a military tribunal any person considered to be a "threat to public order or the general security." During the widespread civil strife in 1970 when the Palestinian fedayeen challenged the Jordanian Government, hundreds of people were taken into custody under the military edict. Amnesty International in 1976 claimed that 147 of the persons taken into cus-

tody since 1970 were still being detained without trial, but noted in 1977 that at least 26 such persons were released.

A 1973 amnesty edict provided for the release of all political prisoners except those convicted of espionage. Similar amnesties have since been declared, including two in 1977. Such amnesties have been applied both to those actually convicted and those held without trial. Our information indicates that a greater number of people than recorded by Amnesty International were actually released from detention without trial in 1977, including more than 20 Palestinian fedayeen. Amnestied individuals are often fully reinstated in their previous occupations, even within the government and armed forces. As part of their rehabilitation and as a means to assure loyalty, a few--including a leader of an abortive coup attempt--have been given positions of high responsibility and trust.

d. Denial of Fair Public Trial

Fair and public trials are provided under an independent judiciary. A parallel legal system of traditional Muslim religious laws and traditions functions alongside the judiciary established by the government. Many crimes, accidental deaths, and the equivalent of civil suits are settled in this traditional framework.

e. Invasion of the Home

Arbitrary entry of private homes by Jordanian authorities does not occur to our knowledge. Arrests are made in homes only on the authority of the equivalent of legal warrants.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Despite its lack of natural resources, Jordan since 1958 has with comparatively few interruptions pursued economic and social development programs aimed at improving the welfare of its populace and attaining a viable economy by the 1980s. Although Jordan suffered serious setbacks to its economic development resulting from the 1967 war

with Israel and the consequent loss of the West Bank, in the past few years the momentum of development has once again steadily increased. Jordan remains heavily dependent upon external financial assistance. Heavy emphasis has been placed on water resources, reforestation, expansion of agriculture, tourism, and development of manpower skills. Basic education is compulsory through the equivalent of the eighth grade, and all Jordanian citizens have access to higher educational and technical training, including scholarships abroad. These programs have benefited not only East Bank Jordanians but also, particularly since 1967, those Palestinian refugees who have assimilated themselves into the Jordanian economy and society.

An exception is the status of Palestinian refugees living in camps supervised by the UN Relief and Works Agency (UNRWA). UNRWA's resources have not kept pace with the needs for education and training, particularly for children. The Government of Jordan helps significantly, but has given higher priority to programs for its own citizens.

There is no official discrimination against women. Educational, social, and economic opportunities are open to them. Some have reached high positions in the government, and some are moving into a variety of professions with success (e.g., a substantial number of women are in Jordan's Diplomatic Service.) Nonetheless, Jordan's society remains male-dominated.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

The 1952 constitution guarantees the liberties of speech, press, religion and assembly. Jordan is a signatory to the Covenant on Political and Civil Rights and the Covenant on Economic and Social Rights. There are no restrictions on the right to worship. People in Jordan are in most instances free to express their opinions, but the state-controlled radio and TV system, and newspapers and periodicals which are subject to government influence, practice a form of self-censorship on key matters of

state. Criticism of the government's performance on domestic matters in the media occurs fairly frequently, but is rarely vehement. The press generally adheres to the government's position on major foreign policy issues. Newspapers are occasionally closed down temporarily for printing articles of which the government strongly disapproves. The government recently began encouraging greater press freedom.

The right of assembly is restricted in certain respects; see 3c below.

Jordan has an active, officially encouraged labor movement supervised by the government.

b. Freedom of Movement within the Country, Foreign Travel and Emigration

Jordanians, including Palestinians (who are eligible for travel documents on the same basis as other Jordanian citizens), are free to travel within the country except into military areas, and they may go abroad. They are allowed to emigrate freely.

c. Freedom to Participate in the Political Process

Organized political opposition currently is not permitted. Thus the right of assembly is restricted. There is a parliament which includes both elected members and appointees of the Crown. The Senate's thirty members are appointed; the sixty members of the Chamber of Deputies are elected. The current parliament was adjourned sine die by the King in 1976 and no parliament has subsequently been convened. Parliamentary elections have been postponed for the indefinite future because it might prove impossible to elect representatives of the occupied West Bank.

In accord with ancient Arab and particularly Bedouin traditions, any citizen can petition for redress of grievances directly to the King. Written petitions are often thrust into the hands of the King when he appears in public. The halls of government are filled daily with ordinary citizens seeking assistance or redress.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Jordanian Government is sensitive to outside monitoring or criticism of its policies with respect to human rights, which it views as an internal matter. We are unaware, however, of any effort on its part to inhibit outside inquiries or studies of these policies. Amnesty International has made inquiries about human rights issues from time to time. Jordan has provided official explanations for allegations of human rights violations, often in the form of denials; in 1977, Jordan released some people whose detention Amnesty International had protested. Particularly since 1973, human rights practices have made steady improvement. Jordan supports international progress on human rights issues, and is willing to do so publicly.

KUWAIT

Kuwait is a small country in the northeastern corner of the Arabian Peninsula. Long a British protectorate, it became fully independent in 1961. For more than 200 years, Kuwait has been governed by the al-Sabah family and is led by a constitutional monarch (the Amir), who traditionally makes major government decisions in consultation with other members of the ruling family and tribal, business, and religious leaders. Kuwait is one of the most progressive countries in the Middle East in providing civil rights and social welfare to its citizens.

1. Respect for the Integrity of the Person, Including Freedom From:

a. Torture

The Department of State has no evidence that torture, which is prohibited by the constitution, is, in fact, practiced in Kuwait. The Department does not have any information concerning the allegations of torture as reported by Amnesty International in paragraph four of this report.

b. Cruel, Inhuman or Degrading Treatment or Punishment

The Department of State has no evidence that these practices, which are prohibited by the constitution, exist in Kuwait.

c. Arbitrary Arrest or Imprisonment

Arbitrary arrest or imprisonment are prohibited by the constitution; with a few exceptions they are not sanctioned by the Kuwaiti Government. At times of tension with neighboring states, Kuwaiti authorities sometimes institute nighttime roadblocks. Also on occasion persons without proper identification are detained by the police. Several labor unionists who objected publicly to the 1976 suspension of those parts of the constitution dealing with the National Assembly were detained briefly, although charges were not pressed. Amnesty International knows of no political prisoners in Kuwait.

d. Denial of Fair Public Trial

Kuwait has a well-developed legal system which provides for public trial, right of appeal, and representation. The Department of State has no evidence that Kuwait conducts secret or unfair trials. On rare occasions, aliens with radical political views have been deported without judicial process.

e. Invasion of the Home

To the knowledge of U.S. officials, the constitutional prohibition against invasion of the home is respected.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Kuwait has spent its large oil revenues (on the order of 10 billion dollars per year) on a wide range of programs to provide its citizens with jobs, housing, medical care, and education. The Government has instituted food subsidies and a modest public housing program for non-Kuwaiti residents. Medical care at nominal cost is available to aliens at government facilities.

Income is widely distributed among Kuwait's citizens, largely through commercial laws which hold that a Kuwaiti individual or corporate entity must be involved in virtually every type of business transaction.

Any examination of political, social or economic life in Kuwait must take into consideration the differences between Kuwaiti and non-Kuwaiti citizens. Kuwaiti citizenship carries with it extensive economic and social benefits, but is rarely given to persons of other nationalities. Many of the resident Palestinians, for example, have lived and worked in Kuwait for twenty or more years, but do not have any immediate prospect of enjoying the extra benefits of Kuwaiti citizenship such as higher government

salaries, land ownership, pensions, the right to vote, and rights to majority interest in business ventures.

In Kuwait, women have equal educational opportunities, hold important positions in government (but not at the ministerial or deputy ministerial level) and have managerial and/or ownership roles in several private companies and financial institutions.

3. Respect for Civil and Political Liberties,
Including:

a. Freedom of Thought, Speech, Press, Religion
and Assembly

Kuwaitis and other residents are generally free to speak as they wish. Newspapers are not subject to censorship prior to publication, but they are subject to suspension for violation of laws regarding political content. These laws use phrases such as "spread dissension," "involved in political matters" and "contradict the national interest," to describe the grounds for such suspensions. In January, 1978 a daily newspaper was suspended for one week for commenting on the need for and possibility of changes in the Kuwaiti Council of Ministers. The government had apparently instructed newspapers not to speculate on cabinet changes following the death of the late Amir and the accession of the Crown Prince as the new Amir on December 31, 1977. Editors are criminally liable for violating these laws, but to date there have been no prosecutions.

Kuwait recognizes freedom of assembly, but the permission of local authorities is required for rallies or demonstrations. The Department of State does not know the number of such requests for permission submitted to the authorities or the frequency with which they are granted or denied. The impression of USG officials is that there are few requests and most of these are honored. If the government were to deny a request for a rally or public

demonstration, it would be for reasons of public order.

There is freedom of worship. Islam is the predominant religion, but non-Islamic religions are permitted.

Labor unions exist but are monitored by the Government. There have been strikes in recent years, but none in the past year.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Kuwaitis and other residents are free to travel about the country and to travel outside as well. There is freedom of emigration. Since September 1977, the Government has prohibited participation of national societies, associations and trade unions (groups subsidized or authorized by the Government) in international meetings without prior approval of the Ministry of Social Affairs and Labor. The Government also makes selection of the delegates to such meetings subject to review by the same Ministry.

Non-Kuwaitis working in the country must have the sponsorship of Kuwaiti citizens.

c. Freedom to Participate in the Political
Process

By August of 1976, the ruling family of Kuwait had grown increasingly apprehensive as Arab political divisions, particularly those afflicting Lebanon, threatened to surface in this small but very wealthy city-state. The National Assembly and the local press became fora for quarreling Arab factions. Several moderate Arab regimes were under criticism in National Assembly speeches and newspaper columns. There was evidence that some Arab governments were paying for media attacks on other Arab governments--all to the growing embarrassment of the Kuwaiti leadership. Kuwait's rulers apparently were concerned that the security of their country, in which

the resident foreign population outnumber native Kuwaitis, might be undermined.

In late August 1976, the Amir suspended those parts of the Constitution dealing with the National Assembly, dissolved the Assembly, and tightened controls on the press. Some newspapers and magazines were suspended for periods of one to three months.

The Government also replaced the leaders of certain professional societies. The Istiqlal Club, a political discussion group, was disbanded in July 1977.

There is now no popular elective process for government officials. The Government has publicly proclaimed its intent to restore representative government within four years. When the National Assembly was in existence, only adult male Kuwaiti citizens were enfranchised.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

In 1976 Amnesty International reported detailed charges that criminal prisoners in Kuwait's Central Prison were "invariably ill-treated and often subjected to torture". The Government of Kuwait denied these allegations in a letter to Amnesty. In March 1977 Amnesty requested that the government undertake an investigation of the allegations. To our knowledge the government has not replied to that request. As noted in 1a and 1b above, we do not have enough information to comment on the allegations of torture.

LEBANON

Lebanon is slowly emerging from more than 19 months of civil strife that was ended in most of the country by the deployment in late 1976 of a predominantly Syrian peacekeeping force. The Lebanese Government has been unable thus far to reassert its authority throughout the country. Private Lebanese forces and Palestinians continue to do battle in the south. The current government is attempting to overcome the problems caused by the serious erosion during the civil conflict of public institutions such as the security forces, police, and court and prison systems. This disintegration contributed to a decline in the human rights standards observed during the fighting. The government has determined that one of its most important objectives is the creation of security and stability. In pursuing this objective, the government has imposed some press censorship and restrictions on the right of assembly; the government intends these restrictions to be temporary.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

No charges of torture of prisoners have been brought against Lebanese police and security authorities since the present government of President Elias Sarkis took office in September 1976. The private militias and gangs which flourished during the factional fighting of 1975-76 and which continue to operate in some areas not subject to government control have tortured political opponents.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Beatings have sometimes occurred in police interrogations in Lebanon, but not as a systematic or officially condoned practice. Some charges of brutality have been made against the largely Syrian Arab peacekeeping forces in Lebanon. We know of one confirmed incident, after which the Syrian authorities promised punishment for those guilty. The major problem in this area is the central government's inability to control the private militias and gangs in the country.

c. Arbitrary Arrest or Imprisonment

Articles 8 and 13 of the Lebanese constitution guarantee freedom from arbitrary arrest. During the factional fighting many innocent civilians were made hostages and prisoners of various of the factions, and there are still occasional kidnappings and taking of hostages, which the government is so far virtually powerless to prevent. Amnesty International, in its 1977 report, says it had received reports of persons arrested by the peacekeeping forces and imprisoned in Syria because of their supposed opposition to the Syrian Government, citing the Lebanese branch of the Iraqi Ba'ath Party as a target of such arrests. The Iraqi Ba'ath Party in Lebanon is a political organization with an armed militia, which has opposed by arms efforts by the peacekeeping forces to establish security as well as the authority of the Lebanese Government. The Lebanese Government has sanctioned measures taken by the peacekeeping forces against those trying to re-ignite civil conflict or to exploit the lawlessness. Hundreds of people have been arrested and detained under that mandate.

d. Denial of Fair Public Trial

Under the Lebanese legal system, which the government is working to restore to full application through the country, a judicial hearing must be held shortly after arrest and the accused brought to public trial. An arrested person can be held a maximum of 24 hours without being charged. The accused enjoys the right to counsel and protection from self-incrimination. Under the present unsettled security conditions, it has been difficult for the government to exercise police power effectively. When trials are held, however, we believe they have been fair to the accused. Certain influential groups through pressure and intimidation are able to prevent some criminals from being brought to justice.

e. Invasion of the Home

Article 15 and 16 of the Lebanese constitution specify that dwellings are inviolable, except as prescribed by law. In practice, this means that Lebanese authorities must acquire the equivalent of a U.S. warrant to enter homes and arrest individuals. Although many Lebanese were driven

from their homes by armed factions during the fighting of 1975-76, there have been no allegations that government authorities have been guilty of these abuses.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Before the civil war Lebanon's economic system was based almost totally on the laissez-faire concept of private enterprise. This approach brought the Lebanese a remarkable degree of prosperity, but was unable to respond to the needs and rising expectations of the poorest class--one factor (not by any means the only one) that contributed to the deterioration of the political and social fabric of the country prior to the outbreak of civil conflict in 1975. The present government leaders are aware of the need for economic and social reform. The government is now making available low-cost loans to poorer Lebanese to repair damaged housing, for example. On the other hand, it is also clear that there is still an influential body of opinion in Lebanon which believes that government action to relieve the needs of the very poor is likely to be ineffective and even counterproductive.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Lebanon's Constitution guarantees freedoms of speech, press, assembly, and association "within the limits established by law." Prior to the recent civil conflict, there were virtually no restrictions of any kind on free expression. Although as a consequence of the security situation, Lebanon's press is now subject to censorship, the main impediment to freedom of thought and expression arises not from government action but from the climate of intimidation which private armed groups bring to bear against holders of opinions with which they disagree. This intimidation has sometimes threatened to prevent the distribution of newspapers in some areas,

and has a chilling effect on the traditionally lively intellectual life of Lebanon. Freedom of assembly is also circumscribed under present conditions. Using emergency powers granted to it by parliament, the government has banned "unlicensed" public demonstrations for fear that they might touch off violent reactions. Articles 9 and 10 of the Lebanese Constitution guarantee freedom of conscience and education, but religious distinctions are sharply drawn and are embodied in the unwritten constitutional arrangements which allocate the highest offices in the state as well as parliamentary seats on the basis of religious affiliation. The right to worship freely, however, is assured in law and in practice.

Workers are free to organize, except those engaged in agriculture and domestic service or those employed by the civil services. Trade union formation must be authorized by the Ministry of Labor and Social Affairs, however, and the Labor Code prohibits trade unions from engaging in political activities.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There are no legal or administrative hindrances to freedom of movement and the right to emigrate and travel abroad. Present security conditions inhibit freedom of movement within Lebanon.

c. Freedom to Participate in the Political Process

As indicated by the proliferation of Lebanese political parties and pressure groups, Lebanese continue to be free to organize themselves for political participation. Parliamentary debate can be suspended under the emergency powers granted the government by Parliament itself. The Parliament has met only a few times in the past year to debate governmental policies.

As in other Arab countries, but to a lesser degree than in most, cultural traditions influence many women to refrain from participating in the political process. Women have the same legal rights as men to political participation.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

No independent investigations have been carried out in Lebanon into alleged violations of human rights since the present government took office. Amnesty International, in its 1977 report, confirms that no normal initiatives by the organization have been possible since the beginning of civil strife in the country in 1975. Lebanese authorities received Amnesty International's Secretary General in February of 1977. They probably would not object to investigations once the security situation improves.

MOROCCO

Morocco is a constitutional monarchy ruled by King Hassan II, who assumed the throne in 1961, succeeding his father. Democratic institutions have been strengthened in the past year, with the lifting of press censorship and the completion of phased national elections for a new parliament. The King's new government includes leaders of opposition parties.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

A number of prisoners arrested during the period of civil disturbances that followed the 1971 and 1972 coup attempts were brought to trial in 1976-77, and alleged during their trials that they had been tortured during interrogation. From observation of these trials and from other sources, Amnesty International concluded in an October 1977 report that 14 persons had died from torture during detention before the trials, and that others had been disabled. The sources of much of this information are political opponents of King Hassan with an interest in discrediting his government, and we have no means to authenticate the allegations. Nevertheless, we believe that serious abuses probably did occur during the domestic unrest of the early 1970's. Our assessment is that such abuses have subsequently been curbed, and that the only malpractices that continue are harsh interrogation methods resorted to from time to time by lower-level law enforcement authorities. We do not believe these malpractices are condoned by Moroccan government leaders.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Prisons are old and overcrowded, but the Government is seeking to improve them. In 1973-74 approximately 30 persons were tried and executed for high treason; no persons have been executed for crimes against the state since 1974. The Government does not resort to exile as a punishment, but some political dissidents are in self-imposed exile.

c. Arbitrary Arrest or Imprisonment

Until the 1976-77 trials, many of the prisoners implicated in the 1973 disturbances had been held for prolonged periods, some throughout the intervening years. Sentences at these trials were severe, but periodic amnesties have been granted; 38 previously sentenced prisoners were released in November 1977.

In the spring of 1977, a number of Moroccans were arrested on charges of taking part in leftist clandestine and subversive activities involving seven French aid technicians. Some of these new detentions may have been intended to discourage disruptive activities during the June 3 elections. We do not have a firm basis for estimating how many were detained, or how many are still being held; 20 were released in early December.

d. Denial of Fair Public Trial

Some persons caught in the act or directly implicated in the 1971 attempt against the life of the King were summarily executed. Persons detained for anti-government activities since 1971 have been tried in open court. A representative of Amnesty International who attended the 1976 trials expressed his satisfaction with their conduct. On the other hand, the Amnesty International report alleged that at the 1977 trials the defendants' right to testify, to be informed of the charges against them, and to receive unimpeded representation by counsel were not respected. Responding to the report in a press release on November 21, 1977, the Moroccan Ministry of Justice argued that restrictions were necessary because both defendants and lawyers had violated court procedure by attempting to create disorder and confusion. The U.S. had no observers at these trials.

e. Invasion of the Home

There are no known incidents of intrusions into private homes by officials without observance of legal safeguards protecting individuals from arbitrary searches.

2. Government Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Morocco addresses these problems through multi-year development plans. The 1972-77 Five-Year-Plan assigned 30 percent of government spending to education and social programs and 16 percent to agriculture; both levels represent significant increases over prior years. Further increases in these areas are expected in the upcoming 1978-82 Plan. The government pursues its social objectives through such measures as redistribution of state-owned land, subsidies and liberal credit for farmers, social services and low-cost housing, and special programs benefitting the rural poor. While performance has not matched stated intentions, particularly in agriculture, government plans reflect a commitment to equitable growth and the fulfillment of basic human needs.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

These freedoms are all guaranteed under the 1972 Constitution. Criticism in the media of the administration, social conditions, and all institutions except the monarchy is commonplace. The Government tolerates various political and religious tendencies. During the 1976-77 electoral campaign all parties were allowed to speak and to hold meetings. Harassment of the opposition was rare.

Morocco has a unique history of religious tolerance. Large numbers of Moroccan Jews voluntarily left the country after the 1967 Arab-Israel war. About 18,000 remain in the country and the government is urging others to return.

Moroccans take pride in their confederation of trade unions, one of the oldest labor movements in Africa. It has effectively represented the economic interests of the working class since independence.

Discrimination against women is prohibited by law. French educational traditions have opened some doors to Moroccan women. Nevertheless, this partial liberalization is limited for the most part to urban areas, while the role of women in the predominantly rural environment remains restricted as it has been over the centuries.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Freedom of movement is unrestricted throughout Morocco. Foreign travel for political reasons was sometimes restricted in years past, it is not now restricted to our knowledge. There do not appear to be any restrictions on emigration.

c. Freedom to Participate in the Political Process

Morocco's political environment provides considerable opportunity for participation of diverse groups in the political process. Suffrage is universal and includes women. Early last year, before the June national elections, the King appointed leaders of the major opposition parties as Cabinet ministers without portfolio. The election results were disputed in some cases, but are broadly representative of the electorate. In addition to the political independents who constitute a majority, there are four political parties represented in the current parliament, including a left-socialist party and a communist party. Despite some dissatisfaction with the conduct of the elections, the opposition parties intend to continue to participate in the Parliamentary system to promote further evolution toward true political pluralism. Opposition leaders have been awarded an equitable share of vice presidencies and committee chairmanships in the new parliament. Likewise, the reorganized Cabinet appointed by the King in mid-autumn includes 12 opposition leaders in the 32 posts filled.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

There have been no known incidents of Moroccan refusal to permit outside groups to enter the country to investigate alleged human rights violations. Indeed, Amnesty

International and other civil and human rights groups have been permitted to send observers to trials. These observers have been received by officials of the Moroccan Government. On January 13, 1977, the new Minister of Justice publicly invited Amnesty International or any other humanitarian organization to send impartial observers to visit Moroccan courts and prisons.

NEPAL

Nepal is nominally a constitutional monarchy and the Constitution of 1961, as amended, provides for many internationally recognized human rights. In practice the King is the sole source of authority for all governmental institutions in a highly traditional society.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture is not condoned by the Government nor apparently practiced in Nepal.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Capital punishment is seldom imposed in Nepal. Nepalese prison conditions reflect the general standard of living in one of the world's poorest countries, but political prisoners have usually received better treatment than those convicted of criminal acts, in terms of visitors, reading and writing materials, and meals from home.

c. Arbitrary Arrest or Imprisonment

The Public Security Act of 1961 provides for preventive detention and "other measures" as may be required to "maintain peace and security". Opponents of the monarchy have in the past been jailed for long periods of time without charges or access to the courts. Our information is that as many as 12 people continue to be held under the Security Act, but about 40 detainees have been released within the past few months. Between 100 and 200 prisoners currently held under criminal statutes may have been arrested for politically-inspired actions.

d. Denial of Fair Public Trial

Nepal has a well-organized system of courts, but judges are beholden to the Government and it would be highly unlikely that a judge would rule against the Government either on a politically-inspired prosecution or an appeal for the release of prisoners detained without specific charges.

e. Invasion of the Home

Arbitrary search and seizure has not been a significant human rights problem in Nepal. Except in the few instances where the police are relieved of such obligations by specific laws, including the recently enacted narcotics control legislation, arrest or search warrants are required prior to search and seizure.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education.

The Government of Nepal attempts to use its scarce resources to meet the basic needs of its people by increasing the economic growth rate and building the communication and transportation networks required to integrate isolated areas of the country. Nepalese decision makers have, however, in the past few years re-oriented their development programs to deal more directly with poverty. The King has assumed the leadership of the economic development effort and his insistence that programs be spread among the four development regions, rather than concentrated in Kathmandu and the lowlands, tends to benefit the poorer areas of the country.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Loyalty to the King and the "Panchayat" system of elections is a prerequisite for legal political activity. Political parties are prohibited and the Government exercises considerable influence over the selection of candidates for the villages, district, zonal, and national Panchayats (assemblies). Other than at the village level, elections are indirect, i.e., members are chosen by the immediately lower level. The Government, however, will probably soon accept direct elections from the district level to the national Panchayat. Freedom of speech and of the press in Nepal is restricted by the principle that the monarchy as an institution and the royal family in their persons are above criticism. The Government con-

trols the principal English and Nepali daily newspapers, but numerous newspapers carry on a sometimes spirited critique of government (as distinguished from palace) actions. Foreign publications are banned in Nepal if they publish articles that the Government regards as too offensive. All associations, including the ineffective, government-sponsored labor union, are directly influenced by the Government. Although Nepalese law prohibits religious proselytizing, the Nepalese are proud of their long tradition of religious tolerance, exemplified by Hindus and Buddhists worshipping in each others' shrines.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There are no restrictions on movement within the country or abroad.

c. Freedom to Participate in the Political Process

Political parties were banned in 1960 and replaced by the Panchayat system, which is designed to involve the people in public affairs while protecting the crown's authority. The Government allows some prominent opposition leaders to criticize the system privately. B.P. Koirala, Nepal's former Prime Minister and primary opposition figure, was detained from 1960 to 1968 and again in December 1976. In accordance with the conditions set by the King prior to his temporary release in June for medical treatment in the United States, Koirala returned to detention when he came back to Nepal in December 1977. Although Koirala faces criminal charges, his supporters maintain that he has been detained for political reasons.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Government of Nepal allowed representatives of Amnesty International to visit the country in late 1977 to report on human rights violations. In the past, Amnesty International has expressed concern about the human rights situation and the arrest of specific individuals. Several of these individuals have recently been released. We know of no other recent occasion on which an international body has sought to visit Nepal to investigate human rights conditions.

OMAN

Until the present Sultan seized power from his father in 1970, Oman was generally considered to have the most authoritarian and reactionary government in the Arabian Peninsula. Since that date, despite the serious threat to Oman's survival posed until 1976 by the Dhofar insurgency, the Sultanate has made substantial progress in providing its citizens a freer and more prosperous life. The Dhofar conflict, mounted by indigenous leftists supported by irregular forces from the neighboring People's Democratic Republic of Yemen, has virtually ended after several years of fighting.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

The Omani criminal code prohibits the use of torture and this prohibition seems to have been observed in practice. Inquiries initiated by Amnesty International in 1975 failed to confirm allegations that government forces employed torture during their suppression of the Dhofar insurgency.

b. Cruel, Inhuman or Degrading Treatment or Punishment

In the early 1970s, there probably were isolated instances of cruel, inhuman or degrading punishment in connection with the Dhofar insurgency. There are no recent reports of such practices.

c. Arbitrary Arrest or Imprisonment

The Omani criminal code prohibits arbitrary arrest. Citizens can petition the courts and the Sultan for remedy of violations of their rights. The power of the state to arrest and detain is defined by law. Violations of the law have not come to our attention, although they may occasionally take place.

d. Denial of Fair Public Trial

Fair and public trials are provided for in both

traditional Islamic law and the new criminal code. U.S. Government officials attending sessions of both Islamic and police courts found the procedures to be in accordance with law.

e. Invasion of the Home

Warrants are not required for police searches of private premises. Such searches are probably infrequent.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Since 1970 the Omani Government has followed liberal policies in providing for basic needs for the poor and in supporting education. Modest oil reserves and heavy defense expenditures during the Dhofar insurgency limited the financial resources available for social welfare.

Oman is emerging from backwardness and poverty as a result of its recent oil wealth. Substantial disparities of wealth between the merchant class and the rest of the population exist. It is impossible to dismiss the persistent allegations of bribery in the awarding of government contracts; it is equally impossible to determine the extent to which resources are thereby significantly diverted from the poor. In the last year, the government has moved against one case of financial malfeasance by government officials.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion, and Assembly

Oman remains a traditional society. There is no national assembly. Freedom of the press, of assembly, and of speech is circumscribed. There are no restrictions on religious practices. Although labor organizations are not expressly forbidden, Oman has no organized labor movement.

Omani women have only recently begun to emerge from traditional isolation and are not yet active in public life. They rarely appear in public unveiled.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Omanis may travel freely throughout the country except in the area of the Dhofar insurgency. Omanis may also emigrate and travel abroad freely.

c. Freedom to Participate in the Political Process

There are neither political parties nor elections in Oman. Citizens have access to government leaders through personal appeal, which is sanctioned by Islamic and tribal practice. Oman remains essentially conservative in its recognition of political rights.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

Given Oman's cultural traditions and history, the present government represents a dramatic step towards enlightened rule. The government supports economic development and modernization of Omani society. The general condition of social and political freedom is much improved.

International concern has not generally focused on human rights in Oman. The government did refuse to receive a proposed Amnesty International mission in 1972 when the Dhofar insurgency was at its peak.

PAKISTAN

Pakistan has been governed by a military regime headed by General Zia-ul-Haq since July 1977, and this new regime has made significant changes in the human rights record. Nearly all political prisoners have been released. The judiciary has been strengthened, and Amnesty International has again been invited to inspect conditions in the country. Elections were scheduled for October 1977, but they have been postponed until investigations are completed concerning the alleged illegal and corrupt practices of the regime headed by former Prime Minister Bhutto.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

The 1973 Constitution bans torture, and there have been no indications of any such mistreatment since the present government assumed power in July 1977.

b. Cruel, Inhuman or Degrading Treatment or Punishment

These abuses are prohibited by law and are believed to be rarely practiced. One form of punishment, following trial and conviction, is public flogging, which is sanctioned by the Koran and used in some other Moslem countries as well. There are unsubstantiated allegations that some flogging may recently have occurred without appropriate judicial sanction.

c. Arbitrary Arrest or Imprisonment

Under the Bhutto regime, thousands of political opponents were imprisoned. Following the March 1977 election, the Bhutto regime acknowledged imprisoning some 13,000 persons. The opposition parties claimed the figure reached 50,000. Following the initiation of martial law by the Zia regime, virtually all of those imprisoned were released. Since then, some of the former regime's leaders, including Bhutto, have been arrested and charged with various crimes, including

murder. Other political activists were detained, but were released or charged after a short time. It is estimated that about 300 may still be detained for politically related offenses. Martial law regulations prohibit political demonstrations and on the few occasions when groups have massed in the streets, arrests have occurred. Most of those arrested have been promptly released or tried.

d. Denial of Fair Public Trial

The military regime is encouraging fair public trials. Amnesty International has been invited to visit any of the courts or tribunals and was told, according to press reports that "if they find anything being done not fulfilling the requirements of justice," the problems can be "rectified." The right to legal counsel is guaranteed by the Constitution and honored in practice.

e. Invasion of the Home

There are no indications that the sanctity of the home is being violated by the military regime.

2. Government Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Former Prime Minister Bhutto was very effective in rousing public support by promising "bread, clothing and shelter" to the masses, and every politician is now aware of the importance of providing wider opportunities for the poor. Reform in education and administration and conscious efforts to lessen economic disparities have increased the opportunities for the poor. With U.S. assistance, housing, educational facilities, and health care have been improved in rural areas. The ration shop system provides basic food needs at controlled prices for the urban poor and lower middle classes. Land reform under Bhutto did not result in much change in ownership patterns, but tenancy reforms have markedly increased the security

and well-being of millions of tenant farmers. The present government has called for a new five year plan concentrating on such basic human needs as increasing water supplies, establishing health centers, and de-centralizing decision making, but those plans are still in the preparatory stage.

3. Respect for Civil and Political Liberties,
Including:

a. Freedom of Thought, Speech, Press, Religion
and Assembly

Martial law regulations prohibit political meetings in "open public places." Political leaders have been encouraged to have small, indoor meetings, and other meetings occur in mosques. Freedom of speech has also been restricted by martial law regulations limiting political activities and expressions. These restrictions are expected to be lifted when political activities resume. Freedom of religion is guaranteed by the constitution. The regime has substantially relaxed previous government restrictions on freedom of the press, but some journalists have recently been detained by authorities for short periods of time. Although there is no censorship, there are some self-imposed restrictions on full expression.

As in some other Moslem countries, many Pakistani women are in purdah. This customary practice is not sanctioned officially by the government. In fact, the government has had a very positive attitude towards the rights of women, educational facilities have been expanded for them, and many women hold positions of responsibility. It is noteworthy that Mrs. Z. A. Bhutto, wife of the former Prime Minister, and Mrs. Wali Khan, wife of a formerly imprisoned politician, are now important political leaders and have attracted large crowds in every public appearance. The All Pakistan Women's Federation is one of the most powerful interest groups in the country and has been able to influence the government's attitude on many issues.

The labor movement in Pakistan is small as would be expected in a country with only a limited industrial sector. Unions are free to organize and a number of successful strikes have illustrated their ability to obtain better pay and working conditions from employers. In the large cities they are an important political force, and their support is sought by all political parties.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Freedom of movement within Pakistan has only been constrained in occasional political cases. Restrictions on travelling and residing abroad are rare. Many Pakistani workers have emigrated freely to other countries, and the government has tried to facilitate their movements.

c. Freedom to Participate in the Political Process

Since its creation in 1947 Pakistan has been struggling with the difficulty of molding diverse tribal and linguistic groups into a nation. Zulfikar Ali Bhutto, who had won a majority in West Pakistan in the 1970 elections, became President (later Prime Minister) in 1971 after the Bangladesh revolt. Six years later, however, General Zia-ul-Haq ousted Bhutto, saying the ouster was necessary because of the rigging of elections, the detention of political prisoners, widespread corruption, and the threat of civil war.

The new regime, supported by most of the public because it ended the political turmoil in the country, came to power promising to reverse the corrupt policies of the former government and to insure that basic human rights would not be transgressed again. The new regime has also shown its respect for the rule of law by allowing former Prime Minister Bhutto to challenge the legality of the martial law administration which ousted him. By a unanimous decision the Supreme Court, which retains its independence, upheld the military intervention, adding, however, that its support for martial law rested on its limited nature and that the civil courts

had authority to review martial law actions to determine their constitutionality. The court also urged the Chief Martial Law Administrator to fulfill his pledge to devote "all his energies" to establishing conditions leading to fair and free elections as soon as possible.

The military rulers stated initially that new elections would be held on October 18, 1977 and that campaign activities could be resumed about a month before that date. However, the elections were postponed in order to complete court action on the charges against former Prime Minister Bhutto and others accused of illegal or corrupt practices, and the restrictions on political activity were reimposed. Campaign activities are expected to resume about two months prior to the polling date. A new election commission has been appointed to insure that fair elections will be held in the future. Although the elections scheduled for October 1977 were postponed, the Chief Martial Law Administrator has said they will take place within "months not years." The constitution provides for universal adult suffrage.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

After rejecting Amnesty International overtures in 1976, the Bhutto government resisted all efforts by outside groups attempting to investigate alleged human rights violations. Amnesty International has now been invited to return and examine the way the court system operates. The military regime has given widespread publicity to the charges against its predecessor and has stated that it would welcome suggestions from reputable organizations for constructive change.

Many prominent officials have praised President Carter's human rights policy and said that it encouraged them to struggle against the irregularities of the old government.

SAUDI ARABIA

Saudi Arabia is an Islamic monarchy in which religious precepts and traditions play a major role in the society. By origin tribal, it is basically egalitarian and individualistic. Saudis have a finely drawn sense of justice.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

To the best of our knowledge, torture is not officially sanctioned or practiced in Saudi Arabia. There are occasional isolated reports of torture, but none has been confirmed or documented.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Islamic law, which is the "constitution" of Saudi Arabia, sanctions the practice of severing the hand of convicted thieves. This punishment is not meted out to first or second offenders but only to clear recidivists. Capital punishment by public beheading is provided for by law for murder and other heinous crimes, but in practice it is rarely used. Prisoners live under difficult conditions, particularly during the hot season, but are not wantonly mistreated.

c. Arbitrary Arrest or Imprisonment

Arbitrary arrest and detention are not condoned or practiced by the Government. There is no evidence that individuals are presently incarcerated in Saudi Arabia for their political beliefs. Foreigners accused of breaking the law are frequently deported and prohibited re-entry into the Kingdom.

d. Denial of Fair Public Trial

Saudi Arabia's judicial system is based directly on Islamic law. The accused is tried before qualified and impartial judges. Trials are open to the public, including US consular officials, except when the security of the state is deemed to be at stake. Such

closed trials have occurred rarely in recent years. Extensive police investigations and administrative deficiencies frequently lead to delay of trials, during which time, in criminal cases, the accused normally remains in jail. Should parties in a criminal trial be dissatisfied with the verdict, they have the right to appeal.

e. Invasion of the Home

Saudi law and custom require respect for privacy. However, Saudi law enforcement authorities do not hesitate to search premises without a warrant in cases where they have reason to believe illegal activities are taking place. Such cases are not common.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Saudi Government is using its oil revenues for the benefit of the poor. Free education and health care facilities are being developed as rapidly as possible. If adequate medical care is not available within the Kingdom, the patient and one family escort will be flown abroad at Government expense. A real estate development fund, which provides interest-free 25-year loans, has been created to finance the acquisition of homes by Saudi citizens. The Government subsidizes basic foodstuffs. In addition to its concern for the welfare of its own people, the Saudi Government is a major source of foreign aid to poorer countries.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Saudis are generally free to say whatever they wish; indeed, citizens are invited to take their grievances to higher authority. The press is not censored prior to publication but it does keep within bounds it presumes

are acceptable to the Government. Thus, criticism of policies and senior officials in the press is rare. There is frequent criticism of the negative effect of domestic policies, particularly in the economic sphere, and the press often writes of the failure of middle-level officials properly to discharge their duties. The foreign press is censored prior to distribution in order to excise pictures and statements that are thought offensive in this traditional religious society.

Unions or other forms of labor organizations are prohibited. Official institutions have been established to protect the rights of labor and hear grievances. Although there is no express prohibition on assembly, any meeting of a political nature would fall under the more general prohibition against political activity and organizations.

Islam is the established religion of Saudi Arabia and Saudis are not permitted to practice other religions, although non-Muslim foreigners have been able to hold private and discreet religious services.

Women in Saudi Arabia occupy a social position quite different from that of women in the West. By tradition and, to some extent, by Islamic law (as the Saudis interpret it), women are segregated from all men except close relatives. Their primary focus is on home and family, although within that context they can become very influential. When they leave their homes, they are expected to be veiled and with a male escort. They can be easily divorced (but cannot easily divorce their husbands). Men can have up to four wives. Women's opportunities for employment are limited to certain occupations where contact with men is minimal. In recent years major changes have taken place in the actual situation, if not theoretical status, of women. An increasing number are being educated, and some have studied for advanced degrees abroad. Divorce is less common in Saudi Arabia than in Western countries, and polygamy has become rare. More and more Saudi women are appearing in public without veils and at social events in the company of their husbands.

b. Freedom of Movement Within the Country, Foreign

Travel and Emigration

Saudi males are generally free to move about the country and travel abroad. Nor are there obstacles to emigration by them. By social custom, however, the movement of women is very restricted. They cannot drive cars and they must obtain their husband's or father's permission to travel abroad or to emigrate.

Visas for travel into Saudi Arabia have at times been refused by Saudi authorities on the basis of religion, but such cases are now rare and limited to atheists and persons the Saudis consider to be a political or religious threat to the Saudi state.

c. Freedom to Participate in the Political Process

Saudi Arabia is an Islamic monarchy whose King is chosen by consensus of the senior members of the royal family. The Kingdom does not have an elected assembly, and political parties are prohibited. The accessibility of officials and the fact that any citizen has a fair chance for redress through presentation of petition or grievance to the King at his weekly public audience function as restraints against arbitrary use of authority.

4. Government Attitude and Record Regarding International and Non-Government Investigation of Alleged Violations of Human Rights

To the best of our knowledge the Saudi Government has not been asked to accept outside independent investigations of alleged human rights violations.

SRI LANKA

During its three decades of independence, Sri Lanka has maintained an unbroken commitment to democratic principles and human rights. Power has changed hands in an orderly fashion at each of the six general elections held since 1953. Successive governments have successfully implemented policies aimed at raising literacy and educational levels, improving health and nutritional standards, and re-distributing income. The Governments have maintained a commitment to human rights despite an insurgency and two major domestic outbreaks of violence.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture is not condoned in Sri Lanka and no instances of torture have been reported.

b. Cruel, Inhuman, or Degrading Treatment or Punishment

Such treatment or punishment is not imposed in Sri Lanka.

c. Arbitrary Arrest or Imprisonment

Arbitrary arrest or imprisonment is not practiced. The Constitution specifically provides that no person shall be arrested, held in custody, imprisoned, or detained except in accordance with the law. The present Government's actions during the August 1977 violence stand as evidence that Sri Lanka is a functioning democracy in which the guarantees provided in the Constitution are carried out in practice. The violence in August 1977 between the majority Sinhalese and minority Tamil communities snowballed from a minor incident into nationwide strife that claimed 150 lives and generated 50,000 refugees. The Government quelled these disturbances without resort to declaration of a national emergency. Nearly 5,000 persons were arrested under

normal procedures; these people were all brought before a magistrate within 24 hours, where they were either freed, granted bail or remanded to custody. Most were released on bail within a few days of their arrest. Almost all of those remanded by a magistrate were released on bail within one month of their arrest. A small number are awaiting trial.

d. Denial of Fair Public Trial

In November 1977, the Government repealed the Criminal Justice Commission Act, a special law that had altered Sri Lanka's normal judicial procedure of fair public trials. The previous Government had passed the Act to try insurgents who in 1971 sought by violence to overthrow the Government of Prime Minister Bandaranaike. Under the Act, a special Criminal Justice Commission was empowered to admit evidence inadmissible in civil or criminal proceedings, and the Commission's verdict was final and nonappealable. Together with the November 1977 repeal of the Act, the new Government released 137 persons who had been tried and sentenced under the Act.

e. Invasion of the Home

There are effective legal safeguards against arbitrary invasion of the home, including the requirement that a search warrant be obtained. This right can be suspended only if a national emergency is declared. The new Government dealt with the August 1977 violence without declaring an emergency, and searches of homes took place only by warrant.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Sri Lanka has a remarkable record in meeting the social and economic needs of its people. Health care is accessible to all, education is universal, the literacy

rate is 85%, life expectancy is 67 years, and the government provides food subsidies to the poor. These economic and social benefits also are available to the approximately one million non-citizen Tamils. However, because they will be repatriated to India under the terms of 1964 and 1974 agreements between Sri Lanka and India, non-citizen Tamils are not allowed to participate in the Government's resettlement programs in newly-developed agricultural areas.

Sri Lanka is committed to the creation of a democratic socialist state. Income distribution has become more equitable.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Freedom of thought, speech, publication, religion and assembly is guaranteed by the Constitution. While the Constitution of 1972 does accord the "foremost place" to Buddhism and requires the State "to protect and foster Buddhism," there is no indication that in practice this works to the detriment of other religions. Government censorship is not employed, and publications carry on an active discussion of local and international affairs. The Government-owned public broadcasting corporation permits the expression of differing viewpoints. The non-citizens of Sri Lanka enjoy the same rights of thought, speech, press, religion and assembly as citizens.

b. Freedom of Movement within the Country, Foreign Travel and Emigration

The Constitution guarantees freedom of movement within the country and the right to choose one's place of residence. This right extends equally to citizens and non-citizens. Foreign travel and emigration are not restricted.

c. Freedom to Participate in the Political Process

As a democracy, Sri Lanka has seen power change hands six times since independence in 1948. During the recent elections in July 1977, an open campaign was conducted; freedom of speech, assembly, and press were not abridged. Sri Lanka's citizens expressed themselves freely during the election campaign and at the polls.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

Sri Lankan Governments generally have been receptive to outside investigations. While the previous Government at first welcomed Amnesty International's investigation of its handling of the detention of insurgents in 1971, relations deteriorated as a result of disputes over the detention policies then being followed by that Government.

SYRIA

Since achieving independence in 1946, Syria has experienced frequent changes of government in what has been a restless country. The Arab Socialist Resurrection, or Baath, Party gained control in Syria in 1963 committed to achieving "unity, freedom and socialism." The present Baath leadership, with a preponderance of military officers led by President Assad, assumed office in 1970 and, having withstood challenges to its power, has given the country a period of stability and sustained growth unparalleled in the country's modern history. The Assad government has markedly improved human rights standards, particularly those relating to the treatment of minorities. Syria has been faced over the past few years with genuine internal security threats, stemming principally from ideological competition with the rival Baathist regime in Iraq.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There have been reports that persons suspected of espionage or other subversive activities have been threatened with torture or actually tortured. Allegations of mistreatment in security-related and narcotics trafficking cases are frequently heard and widely believed in Syria. In its 1977 report, Amnesty International expressed strong concern over numerous allegations of routine torture in interrogations, some reportedly leading to deaths. We have not yet been able to acquire information to substantiate these allegations. Our own knowledge of some recent interrogations, including interrogations of foreigners, indicates that rough treatment or threats sometimes occurred but torture was not used.

b. Cruel, Inhuman or Degrading Treatment or Punishment

The death penalty is used in Syria, but almost exclusively in recent years in the case of those judged guilty of assassination, terrorism, treason, and sabotage. A few of these executions have been public and have followed closed trials (e.g., those caught in the act of attacking one of Damascus's principal hotels). Available evidence

suggests that prisoners, once sentenced, are not subjected to cruel or inhuman treatment or punishment, and prison conditions are tolerable in terms of health care, food, and family access. Exile is a fairly common punishment for some so-called political crimes.

c. Arbitrary Arrest or Imprisonment

Syrians enjoy constitutionally-guaranteed rights to life, liberty, and security of person. In practice, however, Syrian security authorities have considerable latitude in their treatment of persons detained for political or security reasons, and constitutional rights have been suspended or ignored in some cases. There have been occasional detentions of foreigners, including one U.S. citizen, for short periods without trial. Amnesty International's 1977 report estimated that the total number of political prisoners was between 1000 and 1500, compared to an estimated 286 in its 1976 report. The Department's understanding as to these figures is that the largely Syrian peace-keeping forces in Lebanon have detained substantial numbers of people, mostly Palestinians, who have either opposed the efforts of this force to re-establish security and stability, or tried to undermine the authority of the legitimate Lebanese government. Syrian actions were sanctioned by the Lebanese government.

d. Denial of Fair Public Trial

The Syrian judicial system generally provides fair and open trials. The rights of some persons charged with political and security offenses, however, are sometimes violated by detention without trial, closed trials, or trials without adequate due process.

e. Invasion of the Home

The Syrian legal system provides formal safeguards in this area, supplementing extremely strong cultural taboos as regards the sanctity of home and family. In political and security cases, it is likely that security authorities would be less than scrupulous in their respect for the inviolability of the home.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Syria, in recent years, has experienced noteworthy advances in economic and social conditions. Although the pace of Syria's ambitious economic development efforts has lately been retarded by its costly involvement in Lebanon, and by its maintenance of a significant military capability vis-a-vis both Israel and Iraq, the government wants to achieve the higher standards of living increasingly demanded by the population, and has scored impressive progress, particularly in the rural sector. The government maintains subsidies on basic food commodities to retard the effects of inflation. Education is free up through the university level and almost all of Syria's school-age children are in educational institutions. An impressive program of low-cost, pre-fabricated housing is underway. A major thrust of the government's policy is to expand and upgrade the health care delivery system.

There is a substantial degree of corruption in Syria allegedly involving some high-ranking government officials. The issue has become a matter of popular discussion and the government has launched a widely-publicized campaign against this abuse. Some prominent Syrian businessmen and civil servants have been arrested. President Assad has pushed the issue further than many would have anticipated. President Assad himself has set an example by turning over some of his private properties to the State.

It is impossible to calculate the loss to Syrian society through corruption, which has grown in part because of the general easing of economic controls and the encouragement of the private sector. The ultimate test will be the resolve of the government to curb what is widely regarded among the Syrian people to be a serious abuse of political and economic power.

3. Respect for Civil and Political Liberties, Including:
 - a. Freedom of Thought, Speech, Press, Religion and Assembly

Although Syria is predominantly Sunni Muslim, its Christian, Druze, Bahai, Jewish, and Shi'a Muslim minorities practice their faiths freely. The government's concern to preserve internal security and provide for national defense leads to some restrictions of freedom of speech and assembly. The government owns and closely supervises all media.

Labor organizations exist, usually in nationalized industries, but are instrumentalities of the ruling Baath Party. Strikes are not specifically prohibited, but occur rarely.

Syria's Jewish community, today numbering some 5,300 persons, was subjected to discriminatory governmental restrictions and occasional harassment throughout the 1950's and 60's. Their religious affiliation was prominently inscribed on their Syrian identity documents, they could seldom gain admittance to Syrian universities, their businesses were not granted export-import licenses, their right to sell or otherwise transfer property was circumscribed, and they were generally denied opportunities for governmental employment.

Since 1974 the U.S. has made its concern known to the Syrian Government directly. From 1974 through 1976, some of the more onerous restrictions were relaxed. In a significant, positive step, the government issued a series of decrees in late 1976 and early 1977 intended to eliminate virtually all officially-sponsored forms of discrimination against Syria's Jewish community except the prohibition against emigrating freely. It will be necessary to observe the implementation of these recent relaxations over a period of time before a final judgment can be made as to their effectiveness.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Internal travel within Syria is generally unrestricted with the exception of security zones. Syrian citizens wishing to travel abroad must obtain passports which are sometimes difficult to secure. Any Syrian can be required to post a bond which would be forfeited in case of non-return. Emigration is discouraged, but a formal ban on emigration exists only in the case of certain categories of citizens, such as members of the Jewish community, persons eligible for military service, and doctors, scientists, and engineers trained at government expense who have not practiced their profession in Syria for a ten-year period. The prohibition against Jewish emigration has been lifted in a so-far limited number of cases, primarily involving unmarried women and family reunions. We believe further easings of this rule will occur on a case-by-case basis.

Previous restrictions on the movement of the Jewish community within the country have been ended.

c. Freedom to Participate in the Political Process

There is universal suffrage, and women can vote. The candidates for the parliament are chosen by the ruling Baath Party, and a few other parties sanctioned by the regime, from among their membership. In the most recent election for the People's Assembly, only ten percent of the registered voters cast their ballots in the initial period, a matter of serious concern to the authorities. The President is elected by universal suffrage. President Assad will stand for a second seven-year term in 1978.

Municipal and other local elections are frequently hotly contested and provide opportunity for individual exercise of the franchise on matters of local concern.

In common with many Arab societies, the private citizen has considerable access to government officials to express views and interests and to seek redress of grievances. Religious communities and professional guilds and associations exert important influences.

Women are not officially discriminated against, but many have yet to take full advantage of the opportunities available to them. There is, however, a woman member of the cabinet, and women are in influential policy-making roles in parts of the central bureaucracy.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Syrian government is sensitive to criticism of its human rights record and has often reacted by rejecting allegations summarily or ignoring them entirely. In 1977, however, Syrian officials answered some Amnesty International questions and the Amnesty International Secretary General met with Syrian officials in Damascus. Such communication is continuing. Syria has proven receptive to visits by members of the American Jewish community and has allowed them to establish and maintain contacts with the Jewish community in Syria.

TUNISIA

The full range of internationally-recognized human rights is guaranteed under the Tunisian constitution and generally is respected by Tunisian authorities. Tunisia is working to maintain a democratic system in the face of external antagonisms and internal economic and political pressures. The Tunisian Government is increasingly aware of the importance of human rights as both a domestic and an international issue. Authorization for the organization of a Tunisian "League for the Rights of Man" in April 1977 is an example of the growing sensitivity of the Government.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There have been periodic charges that torture is used in internal security operations. The government has vehemently denied these allegations and the U.S. Government has no evidence that would confirm them.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There have been allegations of mistreatment in Tunisian prisons, most recently during the trial of political opponents in the summer of 1977. Evidence to confirm these allegations is lacking.

c. Arbitrary Arrest or Imprisonment

All persons presently imprisoned are accused of, or have been convicted of, committing some act proscribed by Tunisian law.

d. Denial of Fair Public Trial

The Tunisian judicial system, which is based on the French model, affords accused persons a fair and public trial with right to counsel. There have been no allegations that an accused has been denied a fair trial. The court's ruling that the defendants in the political trials of 1977 were not guilty of the principal charges reflects the independence of the judicial system.

e. Invasion of the Home

The provision of the Tunisian constitution guaranteeing "privacy of the house and correspondence" to our knowledge has been respected.

2. Government Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Tunisia's 1976 budget, typical of previous budgets, indicates the government's emphasis and concern for the needs of the poor. Education receives 22.4 percent of total government expenditures; defense, 6.97 percent; and public health, 8.7 percent. The World Bank's 1977 economic report on Tunisia states: "The government has taken measures to implement these priorities (mobilizing resources and improving the welfare of the Tunisian people) in an attempt to combine rapid economic growth with increasingly equitable distribution of its benefits." This report further comments with respect to the new Five-Year Plan that "substantial economic gains could be distributed to the Tunisian people through a number of policy measures resulting from the government's concern with social balance."

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Freedom of thought and religion are guaranteed in the constitution and are respected. By law the President must be a Muslim. Tunisia's treatment of its Jewish citizens, a small but significant minority group, is exemplary in the Arab world. Legal equality of women is guaranteed by the constitution and strongly adhered to in practice. Tunisia has been among the leaders in the Arab world in its progressive stance on the status of women.

The constitution also guarantees freedom of expression, opinion and assembly. The policies and views of the single political party dominate most forms of public expression, and the government discourages, through its control of paper supply, the preparation and circulation of printed material not conforming to government policies.

Permission to hold public political meetings critical of the party or established institutions is usually denied. Tunisian political activists who confine themselves to the verbal expression of their views in private are not subject to harassment. The government granted its approval in October 1977 of a new Arabic newspaper which will be published by leaders of the Tunisian "Social Democratic" group.

The Tunisian Workers Union (UGTT) is the sole labor confederation and is independent of the government and party. The UGTT has often publicly articulated workers' views on issues, even when at variance with the party and the government. Strikes often occur.

b. Freedom of Movement within the Country, Foreign Travel and Emigration

There are no legal or other restrictions on movement within the country, foreign travel or emigration.

c. Freedom to Participate in the Political Process

The Tunisian political system is a one-party state. Nearly all major elements of Tunisian society are represented in the party. "Political orthodoxy" is broadly defined, and dissent, while constrained, is allowed within the confines of the official party. However, the party has expelled some members whose views conflicted sharply with those of the leadership.

4. Government Attitude and Record Regarding International and Non-Government Investigation of Alleged Violations of Human Rights

The Tunisian Government's recent proposal to invite members of the "League for the Rights of Man" to investigate prison conditions and its willingness to allow outside observers from Amnesty International at the trial of alleged anti-government activists illustrate Tunisia's encouraging policy in this regard.

UNITED ARAB EMIRATES

The United Arab Emirates (UAE), formed in 1971 when the longstanding British protective relationship with the so-called "Trucial States" ended, is a federation of seven small sheikhdoms along the coast of the Persian Gulf and the Gulf of Oman. The UAE's highest executive and legislative body is the Supreme Council of Rulers, whose Chairman, the Ruler of Abu Dhabi, is also President of the UAE. The country's outlook on human rights reflects both the Islamic and bedouin traditions of the region and the concepts of the rule of law associated with the long British protective role.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

No instances of torture have come to our attention. The constitution provides clear safeguards against such practices.

b. Cruel, Inhuman or Degrading Treatment or Punishment

The criminal law in the UAE is still in a developing stage. Some Emirates, notably Abu Dhabi, have been moving toward restoring Islamic legal procedures and penalties in the place of practices introduced by the British. In part, this trend is a reaction to the still modest but rising crime rate popularly associated with the presence in the Emirates of large numbers of foreign workers. Crimes such as rape are now punished by public flogging as well as by imprisonment. Prison conditions are adequate. Recently a judge in Abu Dhabi sentenced a thief to amputation of a hand, but this punishment is being appealed. The Chief of State, Sheikh Zayid, has generally used his powers to commute capital punishment to lesser penalties. The November 1977 execution of the political assassin of a Minister of State following the trial and conviction by an Islamic court was an exception.

c. Arbitrary Arrest or Imprisonment

The law does not prohibit summary arrest or imprison-

ment, which has occurred in cases involving the security of the state. There is no evidence of anyone having been imprisoned for his political beliefs.

d. Denial of Fair Public Trial

The UAE has courts with experienced judges, mainly drawn from other Arab countries, which provide fair and public trials. Crimes and punishments are defined by law, and an accused is presumed innocent until proven guilty by a court of law.

e. Invasion of the Home

While the constitution guarantees freedom from arbitrary search, such searches occasionally occur in extraordinary circumstances (such as a perceived threat to the security of the state).

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The UAE has made a major effort to fulfill the basic needs of its citizens for food, shelter, health care, and education. Expert health care in modern facilities is free to all citizens, as well as non-citizens.

The government subsidizes academically-eligible students from kindergarten through university. Modern schools, through the university level, exist or are in the final stages of construction throughout the UAE. The level of women's education is virtually on a par with that of men, though classes are conducted separately. The UAE Government has provided land, and in some cases, financial help for the establishment of schools for the expatriate community.

While the rapid pace of economic development has led to some disorganization in public administration, as well as some malfeasance and profiteering, much of the government's energies have been expended on finding new ways to channel oil revenues to the people. The UAE has the highest per capita income in the world and a

strong public welfare policy; therefore, corruption has not significantly diverted resources from the poor.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Citizens of the UAE are guaranteed freedom of thought and religion, in law and practice. The UAE media are free to criticize government leaders and have disseminated information embarrassing to the government without suffering retribution. The constitution guarantees religious freedom and permits churches of various faiths. The government has made land available to Protestant and Catholic churches, some of which operate their own schools. The constitution guarantees freedom of assembly "within the limits of the law." In practice, the authorities prohibit gatherings they consider to be threats to public order; large political meetings are virtually unknown in the UAE.

There is no organized labor movement in the UAE. Virtually the entire labor force in the country is foreign. Labor organizations are not encouraged by the government.

The status of women, for the most part, is still governed by conservative tribal and Islamic values. Increasingly, young women are availing themselves of opportunities for modern education and are adopting more liberal customs. Family and societal pressures, however, still tend to confine most UAE women to the home. Liberal government policies with respect to women's education are contributing to their advancement.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There is no restraint on freedom of movement within the country. Foreign travel and emigration for all citizens are unrestricted.

c. Freedom to Participate in the Political Process

In the UAE Federal Assembly the appointed representatives of the seven small sheikhdoms speak out with impunity on political issues, but there is no democratic process for selecting representatives or executive leaders. Permanent government structures and practices have not yet been shaped because the central authority is still in the process of attempting to achieve federal unity and arrive at a permanent constitution.

In the tribal tradition of the sheikhdoms that comprise the UAE, citizens are encouraged to express their views to leaders, and government decisions in the individual states are normally made on the basis of consultation with leading members of the society. Expatriates are expected to desist from political activity which in any way would directly affect or involve the UAE.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

No violations of human rights have been alleged, and no international investigations have been proposed.

YEMEN ARAB REPUBLIC

The Yemen Arab Republic is one of the poorest and most backward countries in the Near East. It has no oil wealth and few other natural resources. Yemen was isolated from the outside world by the theocratic government of the Imam until the republican revolution of 1962. The republican government has only recently begun to fulfill its responsibilities towards its citizens. Since 1962 the government's effectiveness has been limited by a long civil war and the need to extend and establish the authority of the state throughout the country.

President al-Hamdi was assassinated in October 1977. His successor, Lt. Col. Al-Ghashmi, has pledged to continue the foreign and domestic policies of his predecessor.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

There is little evidence that torture, which is prohibited by law, does occur and that which may is not condoned by the government. Because of poorly developed governmental institutions and primitive social and prison conditions in remote parts of the country, the government is not always able to exercise complete control over prison or local officials.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Islamic law sanctions the severing of the hand of convicted thieves. Such punishment is not meted out to first or second offenders. Capital punishment by public beheading is provided for by law for murder and sabotage, but some offenses previously punishable by death, such as adultery, are now punishable by imprisonment only. Prisoners live under difficult conditions, but are not wantonly mistreated.

Prisoners incarcerated in remote areas, in which the authority of the state is not yet fully established, are still sometimes subjected to cruel or degrading treatment, often a result of primitive prison conditions rather than conscious actions by local officials.

c. Arbitrary Arrest or Imprisonment

The Yemen constitution and central government directives provide that an accused must be brought before a court within one week of arrest and tried within three months. Detainees are permitted access to family and lawyers. There have been isolated instances in which local authorities have, on their own initiative, arrested and detained individuals for lengthy periods of time without adequate grounds or on the basis of hearsay or circumstantial evidence.

d. Denial of Fair Public Trial

Yemenis can obtain fair public trials under the procedures prescribed by Islamic law. Law courts in Yemen have a long tradition of fairness and impartiality. The judge, while impartial, plays an activist role in questioning the witnesses, seeking to establish the guilt or innocence of the accused.

e. Invasion of the Home

Search warrants are not required, but traditional respect for the integrity of the home minimizes such governmental invasions.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Yemen Government policies have tended to be supportive of Yemenis' basic needs for food, shelter, health care and education. The needs of individuals have been met largely by private remittances from Yemenis working abroad. Relying largely on foreign aid, the government has recently unveiled a Five Year Development

Plan which seeks to alleviate the problems of the nation's poor through a variety of infrastructure, capital development, training and education and basic human needs programs.

3. Respect for Civil and Political Liberties,
Including:

a. Freedom of Thought, Speech, Press, Religion
and Assembly

While Yemenis are free to express their political views, the government does not tolerate mass political rallies, which, in its view, are potential threats to the State's internal security.

There is no evidence of religious intolerance. The small Jewish community resides in remote sections of the country and is accepted by the society. Its members are under no restrictions as to movement or emigration. Foreign Christians are also allowed to worship freely and Christian missionaries are permitted to operate hospitals and clinics. Religious proselytizing is forbidden by law.

There are active functioning non-governmental labor unions in Yemen.

Women in Yemen continue to lead a traditional and restricted existence. Glimmerings of change in their overall status are beginning to appear. Women attend Sana University with male students and are increasingly employed in government offices. The Yemen Government is publicly committed to improving the status of women.

The Yemen media are in a rudimentary stage of development. They are predominately government-owned and used to communicate government policies and positions.

b. Freedom of Movement Within the Country,
Foreign Travel and Emigration

Yemenis are free to travel within and outside the country and to emigrate freely.

c. Freedom to Participate in the Political Process

The opportunities for participation in the political process are limited. The republic is headed by a three-man Command Council. The consultative assembly was dissolved shortly after the late President al-Hamdi came to power in 1974. Political parties are forbidden.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

There have been no requests by international or non-governmental organizations to investigate human rights concerns in Yemen. The extent of Yemeni cooperation with such a request might depend on the nature of the organization and Yemeni perception of its objectives.





