

SPECTRUM

AMNESTY INTERNATIONAL
YOUTH/CAMPUS NETWORK

Fair and prompt trials for political prisoners

by Kourosh Mohseni

As soon as Amnesty International hears of political arrests or of people threatened with torture or execution, it concentrates first on getting the facts. At the International Secretariat, researchers collect and check every available detail in order to build up profiles of the prisoners and the circumstances under which they have been detained. The Research Department receives information from many sources including hundreds of newspapers and journals, government bulletins, transcripts of radio broadcasts, reports from lawyers and human rights organizations, as well as letters from prisoners and their families. Amnesty International also sends fact-finding missions for on-the-spot investigations and to observe trials, meet prisoners and interview government officials.

When the facts have been established, efforts on behalf of the prisoners can get underway. The local groups and sections then undertake the vital work of demonstrating international concern for the protection of the basic human rights

violated in each case. Government and prison officials are faced with insistent, continuous and informed appeals. Letter after letter goes to cabinet ministers and embassies. Amnesty members try to get publicity in their local press. Influential people are asked to sign petitions and support protests.

A unique aspect of the case work - placing the emphasis on the need for international protection of human rights is the fact that each group works on behalf of prisoners held in countries other than its own. The working methods of the movement reflect this principle and ensure that impartiality and independence remain fundamental to all Amnesty's activities. No members are expected to provide information on their own countries and no members have responsibility for action taken or statements issued by Amnesty International about their own countries.

Political prisoners in many countries are convicted in trials that violate internationally agreed standards, or are held for years, sometimes decades without trials at all. Amnesty International strives to ensure that all political prisoners

are given a fair trial within a reasonable period of time, not just prisoners of conscience whose release is sought regardless of criminal proceedings. While the term "prisoner of conscience" is strictly defined, the term "political prisoner" applies to anyone who is imprisoned where there is a politi-

cal element in this case.

When political prisoners (suspected members of opposition groups that use violence, for instance) are not necessarily prisoners of conscience, Amnesty International urges that they be given a fair trial within a reasonable pe-

riod, or, if charges are not brought, released.

Amnesty International bases its work for fair trials in such cases on internationally recognized standards that require:

- the provision of defence lawyers of the prisoners' choosing;
- open trial in the presence of outside observers;
- the testimony of defence witness and right of cross examination;
- the repudiation of evidence extracted under duress or torture.

In situations where administrative detention is used, AMNESTY INTERNATIONAL goes beyond work on behalf of individuals and presses for a general amnesty for all political detainees (if prisoners of conscience would benefit), for measures to ensure detainees fair and prompt trials or for repeal of the legislation under which they are held. Situations involving mass detention without trial are often the subject of Amnesty reports.

Where trial procedures are notoriously unjust, as in military courts that try and sentence civilians who have no right of appeal or when the defendant is denied free access to

legal counsel, or when the legislation under which prisoners of conscience are detained is itself a violation of the Universal Declaration of Human Rights, Amnesty International highlights this in its reports as well as in representations to the governments concerned.

In its work for fair trials AI may send lawyers from other countries to observe and assess political trials. In some instances cases of political prisoners convicted after unfair trials are assigned to Amnesty International groups for INVESTIGATION as are cases of prisoners detained for long periods without trial.

When prisoners of conscience or individuals who are likely to become prisoners of conscience have difficulty obtaining the assistance of competent lawyers, AI looks into the possibility of providing legal aid. In countries where this is a problem on a large scale, AI may discuss the entire question of legal aid with the government and appropriate bodies in the country, such as bar associations.

For information about Amnesty International Group YC405, UNB, contact 451-6407.



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