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ACTIVITIES FOR “POLITICAL” DETAINEES

Protection in situations not provided for in the Conventions

For several years, the ICRC has been working actively for the benefit of “political” detainees. Its action is purely humanitarian and is outside the scope of the Geneva Conventions and their Protocols. Although article 3, common to the four Conventions of 1949 and the 1977 Protocol II apply to non-international armed conflicts, they do not cover “situations of internal disturbances and tensions”, such as riots, isolated and sporadic acts of violence and other acts of a similar nature not considered to be armed conflicts (Protocol II, art. 1, para. 2).

The state to which the ICRC offers its services under such circumstances is not bound to accept them. It is thus as a mark of confidence that a government allows or at times even invites the ICRC to undertake an action in its country.

ICRC VISITS TO PERSONS DETAINED FOR POLITICAL REASONS		
Countries	Number of places of detention	Number of detainees
Africa		
South Africa	6	488
Rhodesia	2	234
Zaire		undetermined
Latin America		
Argentina	25	about 2,150
Chile	7	about 100
Colombia	26	about 550
Nicaragua (under Somoza regime)	24	748
Paraguay	7	12
El Salvador	92	22
Asia		
Indonesia	31	2,043
Malaysia	3	755
TOTAL: 11 countries	233	more than 7,100

The “internal disturbances and tensions” justifying the protection afforded by the ICRC in pursuance of its universally recognized right of initiative are described in the 1978 Annual Report (page 42).

The ICRC visits places of detention provided its delegates are authorized to:

- see and talk freely and without witness with all detainees;
- have access to all places of detention and visit them periodically;
- have the list of persons to be visited or draw up that list during the visits;
- provide, if necessary, material assistance to needy detainees and to families most affected as a result of the breadwinners’ detention.

Such visits are intended to assess and, if need be, to improve the material and psychological conditions of detention and the treatment of detainees. To ensure effective protection, the ICRC delegates, who are all Swiss citizens, ask to visit all persons detained in connection with disturbances or tensions and to have access to all places of detention, whether permanent or temporary (prisons, barracks, transit centres, police stations, “rehabilitation centres”, etc.).

After each visit the ICRC sends a confidential report solely to the government concerned. These reports, which contain practical suggestions for improving detention conditions when necessary, are not intended for publication. The ICRC only publishes the names of the places visited, the dates of the visits, the number of persons seen and states whether its delegates were able to meet the detainees in private or not. It does not publicly comment on the material or psychological conditions in the places of detention, or give its opinion—publicly or otherwise—regarding the reasons for detention.

In this Report the expression *political detainees* is used for simplicity and does not imply recognition by the ICRC of the status attributed by the authorities to the prisoners visited.

Some statistics

In 1979, ICRC delegates visited 223 places of detention in 11 countries, containing over 7,100 “political” detainees (see Table). As usual, they suggested improvements as required by circumstances.

The cost of material assistance provided for detainees and their families amounted to 509,550 Swiss francs (see Table, page 62). This figure does not include the value of relief provided as part of specially financed activities.