

NEWS OF NATIONAL SOCIETIES

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Nicaragua

Certain humanitarian actions which have been successfully carried out by the Nicaraguan Red Cross demonstrate how the principles of the Red Cross can be respected under the most unfavourable circumstances. The National Society intervened in favour of the victims of the events which had taken place in that country by referring to Article 3 common to the four Geneva Conventions.

We publish below information which we have recently received from that Society and we are pleased to draw attention, as we have done on several occasions, to the activities of National Red Cross Societies in favour of persons who have been detained in their own countries as a result of internal disturbances¹. This information consists of two reports which the President of the Nicaraguan Red Cross forwarded to the ICRC on November 3, 1959 and March 10, 1961 respectively.²

I

... I have the honour to inform the International Committee of the action which the Nicaraguan Red Cross carried out in favour of political prisoners held in the various prisons of Nicaragua following on an attempt at revolution on May 31, 1959.

¹ Concerning in particular the Guatemalan and Mexican Red Cross Societies, see *Revue internationale*, August 1959.

² These reports, which were originally written in Spanish, have been translated by the section of the ICRC concerned.

As soon as our Society heard that a group of revolutionaries had invaded Nicaraguan territory and that the National Guard was making preparations for defence, it offered its services to the Government, proposing that it come into action in the theatre of operations. It accordingly submitted the following message to that effect :

Mr. Luis A. Somoza D., President of the Republic—The Nicaraguan Red Cross, wishing to support the application of the Geneva Conventions of 1949, of which the Government is signatory, and being profoundly moved by the events which have been brought about by the armed conflict which is at present raging in our country, begs Your Excellency to be so good as to grant the necessary guarantees in order that, in conformity with the above-mentioned Conventions, we may proceed to the field of battle where our doctors, nurses, first-aid workers and ambulances will come to the aid of the wounded. Hoping for your prompt and favourable reply, I send you my friendly greetings. Rafael Cabrera, President.

Our offer, which was based on Article 3, common to the four Geneva Conventions and on various Resolutions of International Conferences of the Red Cross, received the following reply :

Dr. Rafael Cabrera, President of the Nicaraguan Red Cross—As you will have learnt from information published in communiqués by the military section in charge, the National Guard makes every effort to avoid shedding blood by employing tactics which force the invaders to surrender, with the exception of those who refuse to lay down their arms and persist in attacking the patrols of the National Guard. Prisoners are treated with consideration by the military authorities which fully respect the rules as laid down in the Geneva Conventions and scrupulously observe the fundamental humanitarian principles. The wounded receive adequate care and are hospitalized, if necessary. Under these circumstances, I consider that the personnel and the material offered by your generous institution to lend medical assistance which is already adequately assured by the Army services, are not necessary. Furthermore, since no clearly defined battlefield exists, but only isolated groups attempting to hide or to take to flight in the most inaccessible country, the mission which you propose is practically unrealizable. I wish, however, to thank you for your proposal which I regard as an offer of co-operation with the Government and the Services of the Army in accordance with Article 26 of the statutes of the Nicaraguan Red Cross. With my friendly salutations, Luis A. Somoza ”.

In the face of this situation our Society waited in expectation. Following on a strike which threatened to paralyse trade in the main towns, a large number of persons were arrested and imprisoned in various parts of the country. Our representations then aimed at obtaining the release of several persons, whose state of health would have made them unable to stand up to a period of internment and, in other cases, at improving detention conditions by the despatch of parcels and by the intervention of our medical aid service.

In all about 120 invaders surrendered to the National Guard. These were transported to Managua and placed in solitary confinement in various prisons in the town. The Red Cross then received numerous requests from the families of prisoners who wanted to know where these were being held. In spite of all our efforts it was not possible, however, for us to carry out our mission, since the abnormal situation which existed throughout the country, delayed the representations which we made.

It was at this moment that we had the honour to receive two members of the ICRC, Mr. Jequier and Mr. Delarue, who arrived in Managua on June 19. As soon as they were made acquainted with the situation by leading members of our Society, the two delegates of the ICRC accompanied by Dr. Rafael Cabrera, President, and Dr. Marcelino L. Mora, Secretary-General of the Nicaraguan Red Cross, had a meeting on June 24 with the President of the Republic, to whom Mr. Jequier set forth the humanitarian principles which animate the International Red Cross on behalf of prisoners of war during conflicts not of an international character, which was precisely the case in this particular instance. The Head of the Government then authorized the members of the National Red Cross Society and the delegates of the ICRC to visit the prisons. These visits, during which the members of the Red Cross were able to speak freely with prisoners of their own choosing, enabled our Society to give information to all those who were daily asking for news of close relatives who had been detained.

The anguish in which the prisoners' families were living was relieved, as the delegates proposed to the President that he authorize regular visits, a proposal which was agreed to; on Thursday and Sunday afternoons the prisoners were able to receive and to

speak freely for two hours with members of their families. These arrangements were carried out at the " Campo de Marte " and the " Hangares de la Fuerza Aérea " prisons and in those of the " Tercera Compañía G.N." throughout July and August. Families could also bring parcels of food and clothing. Our institution for its part occupied itself with medical aid and with supplying the necessary medicaments.

Four detainees in the " Primer Batallón Presidencial " prison remained in solitary confinement for two months, in spite of the numerous representations which were made by our Society. The authorities maintained that, since these prisoners were then undergoing interrogation, it was consequently not possible for them to be transferred to prisons in which there were other detained persons. At the beginning of August this special treatment came to an end and visits were then authorized.

Visits were forbidden at the beginning of September. The authorities considered it necessary to take such a step in view of the fact that the prisoners were to be summoned before a court martial. With the co-operation of the authorities, our Society succeeded in organizing a service through whose intermediary the detainees were able to receive parcels from their families. A bureau which has been established at the headquarters of our institution receives once a week about 150 parcels which are distributed throughout the prisons personally by officials of the Red Cross. For detained persons of foreign origin, who, since they do not have their families in Nicaragua, do not receive parcels, the Nicaraguan Red Cross, in co-operation with the Women's Auxiliary Committee, has started a system by which these prisoners are also able to receive relief each week.

On July 23, a students' demonstration, which took place at Ciudad de León, was broken up by the National Guard using firearms which caused five deaths and some fifty wounded. As soon as these news became known, a convoy left for Ciudad de León, 55 miles distant from Managua, and brought with it all the necessary supplies to enable medico-surgical treatment to be given to the students. Our institution made representations with a view to obtaining the release of some of these, allegedly wounded, who had been interned in the local prisons which, as it turned out, was not

the case. This lamentable incident resulted later in the imprisonment of a large number of the inhabitants of León, who were transported to prisons in Managua. Our Society's parcel service was then extended to cover these new detainees.

Following on the escape of a prisoner of the revolutionary movement, the engineer Luis Cardenal, the authorities took certain measures which caused alarm to the families of the detainees. A new batch of four prisoners were placed in solitary confinement and transferred to prisons of the "Primer Batallón". Another detainee was also placed in solitary confinement in a cell of severely restricted dimensions in the "Campo de Marte" prison. In order to ensure greater security, the authorities ordered windows to be closed, thus excluding air and light, in several prisons. Representations which were made to have these orders cancelled were successful, except in the case of the "Campo de Marte" prison. On October 18, the authorities once more authorized visits with the result that on Sundays prisoners can receive visits from members of their families of their own choosing.

The prisoners have appeared before a court martial and have been accused of treason against the State. They have denied this accusation and broken off relations with their defending counsel, with the result that the Government has been obliged to appoint these officially.

ACTIONS UNDERTAKEN IN CO-OPERATION WITH OTHER NATIONAL SOCIETIES

Amongst the prisoners there were several Costa Rican nationals, who received correspondence through the intermediary of the Costa Rican Red Cross. Furthermore, representations, which have so far been unsuccessful, have been made for the restitution of property of certain Costa Rican and Nicaraguan subjects who had been killed by members of the National Guard and whose families reside in Costa Rica.

A group of Nicaraguans attempting to invade Nicaraguan territory across the Honduran frontier was discovered and machine-gunned by the Honduran authorities at a place known as "El

Chaparral". Several killed and wounded were reported there. The co-operation of the Honduran Red Cross proved itself most valuable in making known in Nicaragua information concerning the condition of wounded interned in Honduran hospitals.

At the request of the Salvador Red Cross, we visited several political detainees and sent news of them to their families in Salvador.

The opportune visit of the delegates of the ICRC was most useful to us, since it enabled us to obtain numerous facilities to accomplish our humanitarian mission on behalf of the prisoners. Thanks to their intervention we were able to pass on information very rapidly to a hundred families who were in deep anguish, since they did not know where their relatives were being detained.

This experience has made us see the importance of Article 3 of the Geneva Conventions. The need for developing these notions is obvious, as well as for establishing in this particularly delicate sphere, rather more precise rules which could enable autonomous National Societies to undertake a wider action on behalf of all wounded and sick during conflicts not of an international character.

II

I have the honour to inform you of the activity which the Nicaraguan Red Cross, basing itself on Article 3 of the Geneva Conventions of 1949, is undertaking on behalf of political prisoners and prisoners of war who were captured as a result of the armed revolt which broke out on November 11, 1960 in Jinotepe and Diriamba.

A group of revolutionaries, about forty in all, made a surprise attack on the National Guard barracks at Jinotepe and Diriamba, which resulted in several deaths and wounded on both sides. On the night on which these events took place, Red Cross ambulances entered the town of Diriamba. These were respected by the revolutionary elements and were able to proceed with the removal of the wounded. I mention this fact in this report, since it gave us keen satisfaction to see to what extent our compatriots are infused with the work of the Red Cross and with its fundamental principle of neutrality.

The National Guard succeeded in overcoming its opponents, some of whom surrendered immediately, whilst others took refuge in a school and gave themselves up later, when guarantees were given for their lives and humanitarian treatment. Members of the Roman Catholic hierarchy in Nicaragua acted as mediators in the conflict.

The President of the Republic authorized the Red Cross of Nicaragua to visit the prisoners each week in their cells and to take parcels to them which their families deposit for them every Thursday in the offices of our institution. This action has been continuing without interruption.

Condition of the prisoners : The fourteen youths who surrendered in the school are being held in the prisons of the Presidential Palace. They are accommodated in four cells. Recently they were given permission to remain outside their cells during the day in a corridor in which there is a certain amount of air, but little light.

There are thirty-two prisoners in the " Campo de Marte " prisons. In spite of the requests which we have made, we have not been able to obtain authorization for them to have daily sun-baths nor for them to have more light in their cells.

In these various places of detention, the Red Cross has supplied folding beds for the prisoners and has carried out disinfection of the cells. Every Thursday a Red Cross doctor accompanies the Commission on its rounds and examines the prisoners, supplying them with the necessary medicaments for their treatment.

Air Force prisons : Some forty prisoners accused of complicity in the revolt are interned in these prisons. At the outset, hygienic conditions were by no means satisfactory. The Nicaraguan Red Cross undertook to disinfect and to whitewash the cells and gave medical aid to the persons under detention. It could see that several of these had been subjected to physical violence. It recommended the transfer of one of the detainees, who was suffering from a lumbar hernia to a hospital, the sole means of ensuring suitable treatment for him. The authorities gave their approval to this recommendation.

Jinotepe prisons : Twenty-eight persons accused of revolutionary complicity are interned in two cells. The Red Cross had these cells

whitewashed and had sanitation installed. It gave medical aid and supplied medicaments. The distribution of parcels was not here found to be necessary, since the local authorities themselves had permitted a daily issue of food and clothing.

Acting in liaison with the revolutionary movement, another group had penetrated into Nicaragua across the Honduran frontier, of which many were detained. The Nicaraguan Red Cross acted as an intermediary between families and informed them of the detainees' whereabouts. It set up a correspondence service which was submitted beforehand to official censorship.

About seventy persons benefited each week from the despatch of parcels. The holding of religious services was allowed on two occasions and one visit by relatives.

The Government has stated that as soon as interrogations have been completed, the detainees will go before a court martial in accordance with the laws of the country.

Thirteen members of the Army were wounded and have been interned in the military hospital in the capital. These patients were visited by the Red Cross, which distributed cigarettes and food. They have been given attentive treatment at the hospital and with the exception of one who died, they are all on their way to convalescence.

We are pleased to be able to inform you that, thanks to the co-operation of the Government, the Red Cross of that country has been able to radiate, as far as into the prisoners' cells, the humanitarian spirit of the International Red Cross as expressed in the Geneva Conventions.