
**MEDICAL MISSION
TO CZECHOSLOVAKIA**

**A REPORT BY
HELSINKI WATCH and
PHYSICIANS FOR HUMAN RIGHTS**

July 1988

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The U.S. Helsinki Watch Committee was founded in 1979 to monitor domestic and international compliance with the human rights provisions of the 1975 Helsinki accords. Its Chairman is Robert L. Bernstein; its Vice Chairman is Alice H. Henkin; its Executive Director is Jeri Laber; its Washington Representative is Holly Burkhalter. Helsinki Watch is affiliated with Human Rights Watch, which also comprises Americas Watch and Asia Watch. Africa Watch and Middle East Watch are in formation.

Physicians for Human Rights (PHR) is a national organization of health professionals whose goal is to bring the skills of the American medical profession to the protection of international human rights. PHR was founded in 1986 and works to prevent the participation of doctors in torture, to defend imprisoned health professionals, to stop physical and psychological abuse of citizens by governments and to provide medical and humanitarian aid to victims of repression.

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Introduction

The urgency of the Pavel Wonka case became evident to me during a visit to Prague in October of 1987. I had known about Mr. Wonka before I arrived, of course: 34 years old, he had been imprisoned for the act of declaring himself an independent candidate for office in Czechoslovakia's one-party state. He was reported to be in poor health, along with a number of other political prisoners in Czechoslovakia whose cases were also of concern to Helsinki Watch.

It was in a living room in Prague last fall that Czechoslovak human rights activists brought home to me the full severity of Mr. Wonka's case. They told me that when Pavel Wonka's mother had last seen her son, she found him distraught, shaking uncontrollably and possibly suicidal. She feared for his life.

So did my informants, who represented Charter 77, the long persecuted, human rights movement that has been harassed by officials in Czechoslovakia. I was especially impressed when I learned that none of the people who were telling me of the need for immediate action in the Wonka case were personally acquainted with Mr. Wonka. He was not a Charter signatory, nor was he even from Prague; his home was in the town of Vrchlabi in Northern Bohemia. Yet their concern and apprehension were as great as if Wonka had been a close personal friend.

Together we developed a plan of action: Charter 77 would appeal to both American and Soviet doctors to come to

Czechoslovakia and examine Mr. Wonka. Some Soviet doctors had recently visited the United States to examine a U.S. prisoner, Leonard Peltier, and a policy of reciprocal visits of this sort seemed to be taking shape in U.S.-Soviet governmental relations. Why shouldn't Charter 77 take advantage of this development by appealing to both superpowers for help in the Wonka case?

I do not know how far Charter 77 was able to progress with regard to its request for a Soviet doctor. But when I returned to the United States, I contacted the Physicians for Human Rights on behalf of Charter 77 and explained the case of Mr. Wonka. The physicians group went into action immediately.

Dr. Robert Lawrence, Director of Primary Care at Harvard Medical School and Director of the Department of Medicine at Cambridge Hospital, requested permission from the Czechoslovak government to visit Czechoslovakia in order to examine six ailing political prisoners, including Pavel Wonka. Remarkably, he received an entry visa. In January 1988 he traveled to Prague where he was cordially received by officials of the Ministry of Foreign Affairs and had opportunities to meet with family members of the prisoners. He was not granted permission to conduct prison visits, however, although the possibility of conducting such visits in the future was not ruled out.

Soon after Dr. Lawrence's January visit, Mr. Wonka was released from prison. Within two months, however, he was rearrested, apparently for violating the terms of his parole. In April, word came that the Czechoslovak government would consider

a formal request from Dr. Lawrence to visit one political prisoner and to meet with those responsible for prison health services. As Dr. Lawrence was in the process of making a formal request to Czechoslovak officials, however, we learned that Pavel Wonka had died in custody. His mother and Charter 77 requested that Dr. Lawrence be permitted to attend the autopsy.

In a welcome demonstration of cooperation, the Czechoslovak government expedited the issuance of visas to Dr. Lawrence and Dr. Robert H. Kirschner, a forensic pathologist from the University of Chicago, and made arrangements for them to perform a second autopsy of the body of Pavel Wonka. The government also permitted the doctors to hold a 90-minute meeting with Jiri Wolf, another political prisoner with serious health problems. Drs. Lawrence and Kirschner were told by senior officials in the Ministry of Justice that Mr. Wolf's medical needs would be attended to and that information about the health status of four other prisoners singled out by the physicians would be forthcoming. The Physicians for Human Rights hope to receive permission to visit the four in the near future.

We are pleased by the unprecedented cooperation that was provided by the Czechoslovak government in the Wonka and Wolf cases. But we cannot allow this new turn of events to overshadow a basic injustice: men like Mr. Wonka and Mr. Wolf, imprisoned for exercising their right to free expression, do not belong in prison at all. Moreover, the deterioration in the health of such prisoners most likely reflects the poor prison conditions to

which they are subjected.

Finally, the continued persecution and harassment of Charter 77 activists is also to be deplored. It is through the selfless dedication of Charter 77 that cases like those of Mr. Wonka and Mr. Wolf have become known in the first place. Charter 77, together with its affiliate, the Committee for the Defense of the Unjustly Persecuted (VONS), has persevered since January 1977, longer than any other human rights group in Eastern Europe. It is time that it be given the respect it deserves in Czechoslovakia, and that the prisoners of conscience whom the Charter defends be freed.

Jeri Laber
Executive Director
Helsinki Watch

Background

In early April 1988, Physicians for Human Rights (PHR) was informed that Dr. Robert S. Lawrence would be permitted to visit one of the six political prisoners about whom he had expressed concern, in addition to meeting with prison officials and representatives of the "Health Division of the Corps of Corrective Education." On April 12, Dr. Lawrence wrote to the Czechoslovak Ambassador to the United States, Miroslav Houstecky, expressing his gratitude for this development and repeating his appeal for permission to visit all six prisoners. Dr. Lawrence made a special appeal to the Ambassador about the case of one of the prisoners, Pavel Wonka:

I am very troubled by the recent news that Pavel Wonka, after being released on February 26, was again detained on April 5. Knowing that his health status was very precarious when he was released to the care of his family in February, I worry that imprisonment again at this time will place him at serious risk of further injury to his health. I appeal to you to use your good offices to seek further information about Pavel Wonka, his whereabouts, the charges if any brought against him, and his health status. Further, I request permission to visit Mr. Wonka should he still be in detention when I visit Czechoslovakia.

On April 27, Dr. Gabriel Brenka of the Czechoslovak Embassy, unaware that Pavel Wonka had died on April 26 at Hradec Kralove Prison, wrote Dr. Lawrence the following:

As you might be aware of, the Czechoslovak Act Concerning the Execution of Prison Penalties, an unofficial translation of which I mailed to you, does not expect any foreign supervision of health conditions of the prisoners. As a gesture of good will, however, the Czechoslovak Ministry of Foreign Affairs is ready to be of your assistance to arrange for you a meeting with the representatives of the Health Division of the

Corps of Corrective Education. These representatives will be able to inform you about the organization and the material as well as personal system of medical treatment of prisoners.

If you would like to visit also the prisoners, as a real exception you will be permitted to visit one of the prisoners indicated in your letter. Please be good enough to let me know which one you wish to meet with.

The same day that Dr. Brenka was writing to Dr. Lawrence, Helsinki Watch informed PHR that Pavel Wonka had died in prison, and that his mother and Charter 77 had requested that Dr. Lawrence travel to Czechoslovakia to observe the autopsy. Given that Wonka was only 35 years old, there was cause for concern about the circumstances surrounding his death in custody. Accordingly, PHR contacted Dr. Robert H. Kirschner to determine whether he would be able to accompany Dr. Lawrence, if permission to examine Mr. Wonka's body and conduct a second autopsy were granted by the Czechoslovak government. Dr. Kirschner agreed to participate in the mission, and the request was made to the Czechoslovak Embassy that Drs. Lawrence and Kirschner be granted visas for immediate travel to Prague, that Dr. Kirschner be permitted to conduct a second autopsy on Pavel Wonka, and that Wonka's body not be embalmed until the second autopsy could be performed.

In an extraordinary gesture of cooperation, Dr. Brenka instructed Drs. Kirschner and Lawrence to forward their passports and photographs via overnight mail to the Czechoslovak Embassy where a member of the Consular section was instructed to await their arrival on Saturday, April 30.

On Monday, May 2, Dr. Lawrence learned from the Czechoslovak

Embassy that no communication from Prague had been received authorizing a second autopsy. Dr. Lawrence requested that a cable be sent asking for confirmation of approval for the autopsy before the doctors left for Prague on May 3, since Mr. Wonka's body was to be given to the family on May 5 for burial the following day. At the same time, he indicated that, of the five surviving prisoners he had asked to visit, PHR wished to visit Jiri Wolf, if only one prison visit was permitted. On the morning of May 3, the Czechoslovak Embassy received a cable confirming permission to repeat the autopsy, and Drs. Kirschner and Lawrence departed for Prague.

Upon arrival in Prague on May 4, Drs. Lawrence and Kirschner met with Dr. Houzvicka and Dr. Kanta in the Ministry of Foreign Affairs. Arrangements were made for them to travel immediately to Hradec Kralove, accompanied by Mr. Jan Valko, Desk Officer for the U.S. in the Consular Department of the Ministry. At 7:00 p.m., they arrived at the Institute of Forensic Pathology, where they were received by Dr. Milan Srch, Director of the Institute; Dr. Petr Hottman, Assistant Director; Dr. Petr Lacena, Pathologist of the Institute who had conducted the autopsy of Mr. Wonka; and Dr. Jindrich Obrsal, a toxicologist who had conducted the toxicologic studies on Mr. Wonka.

The Pavel Wonka Case

Pavel Wonka, a 35-year-old mechanic from Vrchlabi in Northern Bohemia, was sentenced in May 1987 to 21 months of imprisonment and three years of protective supervision, one year after his arrest, with his brother Jiri, on charges of "incitement" (Article 100 of the Criminal Code) and attacking a state organ (Article 156/2). Jiri Wonka was sentenced to one year of imprisonment. These charges stemmed from Pavel Wonka's attempts to participate as an independent candidate in the elections for Federal Assembly in the spring of 1986. He was incarcerated at Minkovice prison, a maximum security institution noted for its harsh conditions, where he reportedly suffered harassment, beatings, and solitary confinement. When he appeared in court for an appeal hearing in September 1987, Wonka's poor physical condition shocked his friends and family. Wonka later stated that he had also received an injection of a drug just before his appearance in court which lessened his ability to perceive what was going on around him. On December 18, 1987, Wonka was transferred to Bohnic Psychiatric Hospital in Prague, where he remained until his release on February 26, 1988. Upon his release, Wonka was carried from the vehicle that brought him home because he was unable to walk; reports indicate that he was quite thin and that his legs were swollen.

In a meeting on May 6 with Dr. Lubomir Ondracek, Director of Medical Services for prisons in Bohemia (whose office is located within the Ministry of Justice), Drs. Lawrence and

Kirschner were given a summary of Wonka's medical history. According to Dr. Ondracek, within three days of Wonka's arrest in 1986, he was examined, a complete history was taken (including family history, past medical history), and a physical examination and laboratory studies were performed. In August 1987, Mr. Wonka was found to have borderline hypertension with a blood pressure of 140/90 mm hg. A psychiatric consultation was sought by his physician, allegedly because he was not cooperative during examinations.

Dr. Ondracek continued to explain that during another examination, in September 1987, Wonka partially cooperated with his neurologic exam, and back pain was noted. The diagnosis was "psychopathy with hysterical components." The August and September exams were conducted at Liberec Clinic in Northern Bohemia, a facility for subspecialty examinations, where prisoners from the region are taken when they are in need of such consultations. Medications and exercise therapy were prescribed for hypertension and low back pain, but Wonka refused therapy. During the next several months he continued to refuse medications, sharply limited his food intake, and suffered significant weight loss. Dr. Ondracek indicated that these summaries were provided to him by the prison doctors, who still had the original medical records in their possession.

According to Dr. Ondracek's medical summary, because Pavel Wonka's deteriorating physical condition was believed secondary to his mental state, and there was increasing concern for his

health, he was transferred to Bohnic Psychiatric Hospital in Prague on December 18, 1987. Bohnic Hospital is under the jurisdiction of the Ministry of Health and Wonka is reported by friends to have received good care in this institution. The final report from Bohnic stated: "Mr. Wonka has no psychiatric illness [to explain] his refusal to eat since 12 February, and is likely to continue in this to the end of his arrest." (He was not on a complete hunger strike but would refuse some meals.) The report also stated that Wonka refused examination at the time of discharge, claiming that he did not want anything and felt all right.

Further information regarding Wonka's health both in and out of prison was obtained by Drs. Lawrence and Kirschner from friends of the family. Following his release from custody on February 26, Wonka complained of leg pains which he believed were due to prolonged lack of exercise. From mid-March until the time of his rearrest in April, he complained of leg pains and shortness of breath with exercise. His death occurred just three weeks later.

According to these sources, Pavel Wonka's health had been undermined by his treatment in prison. Back in September 1987, Pavel Wonka was badly beaten by prison guards while being returned to Minkovice prison from a visit to Liberec Clinic. He was kicked in the chest and genitals and suffered a head injury, but despite his requests, he was denied medical treatment. At Minkovice, he periodically refused food and water. He was abused

by alternately being exposed to hot indoor temperature (30 degrees Celsius), and being forced to stand outside in freezing temperatures. He lost 20 kg. (44 lbs.) while at Minkovice. As stated above, before his September 1987 trial in Prague at the municipal court and the Supreme Court, he received injections which he thought lessened his ability to perceive what was going on about him. His family was present in November 1987 when he went on trial at Liberec in Northern Bohemia, secondary to his indictment for "obstructing the carrying out of official duties." They were shocked by his appearance; he was shaking visibly and claimed to have been injected prior to being brought to court.

After his release, Wonka brought a law suit, in which he was seeking damages of Kcs 1,000, against the judge and prosecutors who had tried and convicted him, on the grounds that their actions were improper under Czechoslovak law. The regional court in Prague brought this law suit to the court calendar on April 8, 1988, but since Wonka was not present -- because he had been rearrested -- and his absence was not excused, the case was dismissed.

Pavel Wonka was arrested for the last time on April 5, 1988, shortly after requesting permission to emigrate to West Germany. He was detained on orders from the District Court in Trutnov where he was summoned to appear before the military administration relating to his emigration petition. Wonka's family remained unaware of his whereabouts until April 22, when they were informed that he had been sentenced on April 20 to five

months of imprisonment in Hradec Kralove Prison for "obstructing the carrying out of official duties." Five days later, on April 27, his mother received a telegram informing her that Pavel Wonka had died "suddenly" on April 26.

It is unclear exactly what reasons were used to justify his detention, although it may have involved his refusal to abide by the terms of his three years of "protective supervision," to which he was sentenced at his original trial. He might also have been detained because he ignored summonses issued by the district court in Liberec in connection with his criminal offense of "obstructing the carrying out of official duties" (Art. 171/1 of the Czechoslovak Penal Code), when he refused to work because of illness while serving his sentence in Minkovice prison; he also refused to work because he felt that he was sentenced illegally.

Wonka's final imprisonment was in Hradec Kralove in the Trutnov District. At the medical examination on April 9, according to the physician in charge of prisons, Dr. Ondracek, he had no complaints and no medications were prescribed. His blood pressure was 160/95, but later was recorded at 110/90; his pulse was 72 and examination of his heart, pulmonary system and abdomen were normal. His weight was 66 kg. (145 lbs.) and he was found "healthy enough for incarceration." On April 12, Dr. Robert Lawrence wrote to Ambassador Miroslav Hostecky, Czechoslovak Ambassador to the U.S., expressing his concern given Wonka's precarious state of health when released from detention on February 26 that "imprisonment at this time would place him at

serious risk for further injury to his health." Despite the negative results of the examination on April 9, a re-examination was scheduled and carried out on April 18, apparently because the prison medical staff was concerned about his health. His weight was recorded as 64 kg. (141 lbs.). There was no indication of specific problems (i.e., nausea, vomiting, diarrhea), but Wonka periodically refused to eat. On April 20, Wonka refused to submit to a medical examination before appearing in court at Hradec Kralove. His friends speculate that he refused medical examination at this time because of previous occasions when he apparently received injections of drugs prior to court appearances. On April 22, his attorney wrote to Wonka's mother that he had to be brought to trial in a wheelchair, could only speak in whispers, and appeared to have difficulty concentrating during the procedure.

At 6:45 p.m. on April 26, a fellow prisoner called the guards to report that Wonka showed no signs of life. An ambulance arrived ten minutes later, but Wonka was pronounced dead by the accompanying physician and CPR (Cardiopulmonary Resuscitation) was not attempted.

On April 27, autopsy #224-88 at the Institute of Forensic Pathology, Hradec Kralove, was performed by Dr. Petr Lacena. The cause of death was reported as pulmonary thromboemboli arising in thromboses of the prostatic vein plexus. Toxicological examination was subsequently reported as negative for drugs and alcohol.

The Autopsy

The re-autopsy of Pavel Wonka occurred on the evening of May 4, 1988, at 7:00 p.m., eight days after his death. Following introduction to the staff of the Forensic Institute at Hradec Kralove, Drs. Lawrence and Kirschner accompanied them to a conference room within the Institute to view projected transparencies taken during the first autopsy. External views of the body showed all body surfaces, and there were close-up photographs of all possible traumatic lesions. There were no photographs of the clothed body. Gross photographs of the lungs showed a dark red lesion of the left lower lobe involving the pleura and consistent with a pulmonary infarct. A photograph of the vasculature of the right lung showed a large nearly occlusive embolus within the main pulmonary artery, consistent with an early organizing thromboembolism. A photograph of the prostate showed distension of the perioprostatic veins consistent with thrombosis of the prostatic venous plexus. Finally, a photograph of the rectum showed circumferential deep red-purple discoloration of the lower 4-5 cm of the rectal mucosa.

Following examination of the transparencies, the re-autopsy was performed by Dr. Kirschner. Present at the autopsy were Dr. Srch, Dr. Hottnar, Dr. Lacena, Dr. Obrsal and Dr. Lawrence; Mr. Jan Valko observed a portion of the autopsy.

The body was that of a 35-year-old white male with a recorded height of 176 cm (69.3 inches) and a recorded weight of

57 kg. (125.4 lbs). The name "Wonka" was written in blue ink on the anterior aspect of the right thigh and the number "57" was written in blue ink on the right side of the abdomen. The body was unembalmed and cold to the touch. There were several sutured autopsy incisions, including a sutured incision extending from the inferior surface of the chin to the symphysis pubis and an incision down the back from the base of the skull to the buttocks, forming an inverted Y incision that then continued through both buttocks and down the posterior aspects of both legs to the ankles. Further sutured incisions were present on the lateral aspect of each arm and through the anterior aspect of each leg extending above and below the knee. Mr. Wonka was thin and nearly emaciated. Drs. Kirschner and Lawrence subsequently viewed a photograph of Mr. Wonka prior to the time of his arrest in 1986, and his appearance at autopsy would be consistent with a 20 kg. (44 lbs.) weight loss.

There was fixed dependent lividity on posterior body surfaces. Rigor mortis was no longer present but there was no evidence of decomposition.

The scalp was covered by moderately long brown hair with a full beard and mustache on the face. The irises and pupils were clouded but eye color was probably brown. The globes of the eyes were collapsed secondary to removal of the vitreous humor at the time of the first autopsy. The nostrils and right ear canal were clear. The left ear canal was also clear but there was evidence of hemorrhage behind the left tympanic membrane. There

were petechial hemorrhages in the eyes. The lips were normal. The teeth were in good repair and there were no lacerations, contusions, or abrasions of the buccal mucosa. The tongue had been previously removed. The neck was unremarkable and without evidence of injury. The chest was symmetrical; the abdomen was free of abnormality. The external genitalia were those of a normal uncircumcised male. No evidence of injury to the penis, urethra or scrotum was noted. The back and buttocks were unremarkable. The anus was markedly dilated but without evidence of acute injury. The rectum had been previously removed. The extremities were symmetrical and the hands and feet appeared normal. The nails and nail beds were normal.

There were no tatoos or evident needle marks on the body. There were no significant scars. There was no edema of the legs or feet. Careful examination of the body surfaces showed only small superficial injuries. There was a small superficial bruise on the lateral aspect of the left arm that measured approximately 1.5 cm. in diameter. There was a previous incision through this region. There was also a 1 cm superficial bruise on the lateral aspect of the left forearm distal to the elbow. On the anterior aspect of the left wrist there were two linear vertical scratch abrasions each measuring approximately 4 cm in length. On the dorsal aspect of the wrist there was a cluster of four small superficial abrasions. Incision into this region showed no evidence of hemorrhage within the subcutaneous tissues. On the lateral aspect of the right thigh there was a 1.5 cm contusion

that extended only into the superficial subcutaneous tissues. Several small superficial contusion abrasions were present on the knees and there was a small contusion of the left shin. On the upper aspect of the back, there were also a few small scattered superficial abrasions. No other evidence of injury was evident.

Following external examination of the body, the sutures were removed from the previous autopsy incisions. This permitted direct inspection of the subcutaneous tissues and musculature of the neck, chest, abdomen, back, buttocks, and extremities. There was no evidence of injury within the subcutaneous tissues or musculature of the trunk or extremities. Deep neck tissues and the posterior neck region were unremarkable. There was no evidence of hypermobility of the joints. Incision through the tissues of the buttocks showed no evidence of perianal injury. There were no old or recent rib fractures and the pleural and peritoneal surfaces were smooth and glistening. There was no retroperitoneal hemorrhage or pelvic hemorrhage present. The subgaleal tissues and skull were free of injury.

The internal organs had been removed and subsequently replaced within the chest and abdominal cavities. These were reexamined. The tongue had been previously sectioned and showed no evidence of hemorrhage. The hyoid bone and thyroid cartilages were intact and without evidence of hemorrhage or fracture. Laryngeal tissues were normal. The strap muscles of the neck were likewise unremarkable.

The heart was of usual size and had been previously

sectioned in a breadloaf manner. There was no evidence of hypertensive change within the heart. The coronary arteries were free of significant atherosclerosis.

The lungs were only mildly congested. There was an area of hemorrhage within the lower lobe of the left lung consistent with a recent infarction. A small early organizing thrombus was found in one of the peripheral branches of the left pulmonary artery. The pulmonary thromboembolus demonstrated in the transparency of the lungs was no longer present within the pulmonary artery branches and was not recovered from within the body cavity. The right lung was essentially unremarkable. The pleural surfaces were smooth. The bronchial airways were free of obstruction and the pulmonary vasculature showed no evidence of pulmonary thromboemboli.

The liver had been previously sectioned. It was grossly unremarkable and showed no evidence of fatty change or of other abnormality. The gall bladder and biliary tree were normal. The esophagus was intact. The gastric mucosa was unremarkable and the stomach appeared normal. There was no evidence of injury to the small intestine or colon. The rectum showed an area of deep red-purple discoloration consistent with submucosal hemorrhage extending in a circumferential manner and measuring approximately 4 cm wide. There were no abrasions or lacerations of the rectal mucosa. Inspection of the anus showed dilatation but this would be consistent with the long post mortem interval and previous removal of the rectum at autopsy. The peritoneum was unremarkable

and there was no evidence of hemorrhage. The pancreas was of usual appearance. The kidneys showed no abnormalities. The bladder was unremarkable. The prostate was of usual size and showed no evidence of inflammation. The periprostatic veins were engorged and the appearance was consistent with thrombosis of the periprostatic venous plexus. The testes had been previously sectioned, but they were still attached to the spermatic cords and had been replaced within the scrotum. No evidence of old or recent injury was present. The pituitary gland was not identified. The thyroid was of usual size. A section of adrenal previously placed in formalin with other tissues for histologic sampling was examined and was unremarkable.

Examination of the musculature showed skeletal muscles of usual coloration. The extent of muscular development was consistent with physiologic atrophy within both the lower and upper extremities. As described above, the scalp and skull were intact. The ear canals were examined with an otoscope, and there was hemorrhage behind the left tympanic membrane. There was also hemorrhage evident within the left petrous bone. There were no abnormalities within the right ear. No evidence of trauma was present within the ear canal. There were no skull fractures and there was no evidence of intracranial hemorrhage. The brain had been previously sectioned and appeared grossly unremarkable.

Tissues previously taken for histologic studies were shared with Dr. Kirschner. Dr. Obrsal, the Institute toxicologist, informed Drs. Kirschner and Lawrence that studies for alcohol and

drugs had been negative. Dr. Lacena stated that oral and rectal swabs and other samples had been taken for evidence of sexual activity, but these results were not yet available. Drs. Kirschner and Lawrence agreed to make a copy of their report available after they had completed their investigation. They concluded their stay at the Institute of Forensic Pathology at approximately 10:00 p.m., May 4, and returned to Prague.

A formal request was made to Dr. Josef Houzvicka, director of the consular department of the Foreign Ministry, for specific records necessary to complete the investigation. The U.S. Embassy in Prague was informed of the items that had been requested so that they could assist in acquiring and transmitting these records to Drs. Kirschner and Lawrence. Copies of the following materials were requested in order to complete the investigation into the death of Pavel Wonka:

- 1) the autopsy report from the Institute of Pathology at Hradec Kravlove;
- 2) the toxicology report on Pavel Wonka;
- 3) the report for evidence of semen and sperm;
- 4) the photographic transparencies taken at the time of autopsy;
- 5) the prison investigative report surrounding the death of Pavel Wonka, to include statements of guards and other prisoners, appropriate statements relative to the environment in which he was confined, the number of prisoners within the cell, and the activities in which Mr. Wonka was engaged when last seen alive;
- 6) Mr. Wonka's medical records from Hradec Kralove prison;

7) Mr. Wonka's medical records from Bohnic Psychiatric Hospital during the time of his confinement from December 18, 1987, to February 26, 1988.

A final determination of the cause and manner of Mr. Wonka's death must await review of these records. Until such time, the following represents the mission's conclusions regarding the death of Pavel Wonka:

- 1) Based on the evidence so far reviewed, the findings are consistent with the immediate cause of Mr. Wonka's death being a pulmonary thromboembolism.
- 2) The underlying cause of the pulmonary thromboembolism and circumstances of Mr. Wonka's death was not determined.
- 3) The state of Mr. Wonka's health, known to be poor in the months prior to his death, requires further investigation.
- 4) There is no physical evidence of beatings or torture.
- 5) The autopsy performed by the professional staff of the Institute of Forensic Pathology at Hradec Kralove was in accordance with the requirements of contemporary medicolegal standards.

The Jiri Wolf Case

On May 5, Drs. Kirschner and Lawrence, accompanied by Mr. Valko, drove to the town of Valdice, 100 kms. northeast of Prague, where one of the Category 3 prisons of the Ministry of Justice is located in a former monastery. They met with Mr. Kordik, Director of the Prison, and Dr. Votruba, Director of Prison Health Services. A representative of the Ministry of Justice translated.

Dr. Lawrence stated the purpose of their visit and asked to see Jiri Wolf, Frantisek Veis, Walter Kania¹ and Josef Romer. Mr. Kordik said he was only instructed to permit a visit with Mr. Wolf. Dr. Lawrence then asked for information on the health status of the other three, the duration of their sentences and the status of their appeals. Mr. Kordik excused himself to make a telephone call from the other end of his office, and after several minutes returned with the report that he was not authorized to release information on anyone but Mr. Wolf. The PHR team then proceeded to question Mr. Kordik and Dr. Votruba about the Valdice Prison.

According to information provided by the prison officials and by Jiri Wolf, a Category 3 prison is the harshest of the Czech penal system with severe restrictions on the number of visits allowed (one per year for one hour); the work requirements (8 hours/day, 5 days/week, 52 weeks/year on one of three shifts - 6AM to 2PM, 2PM to 10PM, 10PM to 6AM); letter writing privileges

¹Kania was released on May 26, 1988.

(one letter every 3 weeks); and receipt of mail and packages (one 2 kg. parcel per year). Category 3 prisons are reserved for repeat offenders and those who have committed major crimes, although even someone charged with manslaughter may be sentenced to a Category 1 prison if it is a first offense and a crime of passion. A recidivist of minor crimes would be sentenced to a Category 2 prison, and a repeat offender to a place like Valdice. Jiri Wolf was regarded a repeat offender because he was in prison for the third time. Prisoners with good behavior can be transferred from a Category 3 facility to a Category 2 or even Category 1.

According to the prison officials, free time is provided to the prisoners for cultural events, television, education, and "socialization classes," though this time is "controlled by the internal regulations of the prison." Daily exercises with 20 minutes of calisthenics are individually modified for prisoners with an injury or medical problem. Tobacco is available for prisoners to buy from their monthly wages of 1200 kcs (about \$150 at the official exchange rate). There is no alcohol allowed in the prison, and other drugs have not been a problem.

With regard to medical attention, the officials said that Dr. Votruba has five general practitioners working full-time with access to 15 specialists. When asked how many prisoners were under his care, Dr. Votruba said they were not authorized to divulge this data. Drs. Lawrence and Kirschner stated that without the necessary information, it was impossible for them to

estimate the adequacy of prison health services. They were told it was "sufficient."

The officials stated that prisoners with acute problems can attend sick call twice daily, and one day per week is reserved for scheduled visits for management of chronic conditions. They described the major medical problems as malingering and "self-injury" from hunger strikes and placing ground pencil leads in the eyes to induce conjunctivitis and corneal injury. They said that Valdice is used for all prisoners with diabetes in Bohemia (one of three political divisions of the country), and that surgical cases and sub-specialty consultations are referred to Prague. All patients with chronic medical conditions requiring drug therapy are seen on a periodic basis by specialists in internal medicine, according to the officials, and requests from prisoners for specialist consultations are "routinely" honored.

Dr. Votruba stated that psychiatric problems were not common at Valdice; when they did occur, the prisoner was transferred to Prague for treatment, then returned to Valdice and maintained on medication. Dr. Votruba also stated that psychiatrists at Valdice occasionally prescribed major tranquilizers for prisoners who were creating a major disturbance. All such cases required his prior approval to safeguard against self-injury by overdosing. He said that there have been successful suicides at Valdice, but no details were provided.

Dr. Votruba described three special diets for those with

diabetes, stomach problems and hypertension. He stated emphatically that dietary restrictions were never used as a form of punishment because "the goal of the prison is to keep prisoners working." He boasted that Valdice was known for its good food and that prisoners transferred from Category 2 facilities said the Valdice food was superior.

Both Mr. Kordik and Dr. Votruba said there was no problem with homosexuality because the prisoners were held in "small collections of ten persons and there was no opportunity."

When asked about the availability of drugs like Cimetidine and calcium-channel blockers, Dr. Votruba said they were not used but if deemed necessary, would be imported. Family members occasionally try to bring drugs and vitamins, but they are not allowed because the prison "always has them." In his three years at Valdice, Dr. Votruba had not seen one case where a family needed to supply medications. Dr. Lawrence requested permission to give Mr. Wolf some vitamins as a humanitarian gesture and was told that this would not be possible.

Drs. Kirschner and Lawrence were then conducted to the inner part of the prison, past two locking steel doors and into a room measuring approximately 15 feet by 20 feet with two large windows facing into the inner courtyard of the former monastery. They waited with Dr. Votruba, Mr. Valko and the interpreter. A figure appeared from the opposite side of the courtyard, walking with head bowed and hands clasped behind his back. He was escorted by two uniformed guards walking several paces behind him. A few

moments later, Jiri Wolf entered the room; the guards remained in the hall corridor as the door closed.

On close inspection, Mr. Wolf appeared pale and haggard with his hair cropped to 1/4 inch. He wore a red shirt, denim jacket and jeans; he later said that he was allowed to wear his own clothes for the visit. The interview, which lasted approximately 90 minutes, was conducted by Dr. Lawrence. Mr. Wolf was able to sustain eye contact, although his gaze dropped frequently to the table in front of him and his head regularly turned to the right in an obvious nervous tic. He never smiled.

Mr. Wolf gave his date of birth as January 5, 1952. He worked as a traffic inspector for the subway system in Prague before his arrest in 1978 for participating in the "Committee Against the Dictatorship." Both of his parents died of tuberculosis when he was 16, and his wife divorced him shortly after his sentencing in 1978. He has one son whom he has not seen for four years. His initial sentence was for three-and-a-half years, but was extended another six months when he stated that he had been tortured. He spent the major part of his term at Minkovice Prison and the last nine months at Valdice.

After his release in 1982, Wolf began to work with Charter 77, organized a "samizdat" journal, and wrote about prison conditions, trade unionism and human rights, despite his monthly interrogations by the secret police. Nineteen months after his release, he was re-arrested based on his writings about prison conditions in Czechoslovakia. He was charged with subversion,

under Article 98/2/2 of the Criminal Code and sentenced to six years of imprisonment, for trying to release a report on prison conditions to a Western embassy in Prague.

Mr. Wolf weighed 70 kg. (154 lbs.) in 1978 and lost 20 kg. (44 lbs.) while in Minkovice. His weight has now stabilized at 65 kg. (143 lbs.) in Valdice, although he states that he feels hungry all the time. His fellow prisoners share food with him "out of solidarity;" on one occasion, when he used a ticket given him by another prisoner to obtain an additional meal, he was punished with a 500 Kcs. fine (about \$63). He sleeps in a cell which he said was similar to the room in which the interview took place. In addition his cell has a small lavatory in one corner, five double bunk beds for ten persons and one large window. He is permitted to exercise daily for 20 minutes; apart from that and his eight hours of work each day, he spends all of his time in his cell. He is given one piece of soap per month and one roll of toilet paper is provided for the group of ten prisoners per month. They end up using newspaper most of the time.

He stated that physically he felt well (even though later on he described some chronic ailments) and was taking no medications. Psychologically, however, he did not feel well and has written this to his sister on several occasions. His nervous tic started five years ago after his re-arrest and has gotten steadily worse. He attributes his nervous complaints to the prison situation. Though he has requested neurologic consultation, permission has been refused repeatedly. Late in

1986, Libuse Silhanova, a Charter 77 signatory, wrote to President Husak on Mr. Wolf's behalf. In December 1986, Mr. Wolf was sent to Prague for two weeks of medical examinations, including a chest X-ray and upper gastro-intestinal series, but not a neurologic evaluation.

Mr. Wolf describes himself as suffering from hysteria and feeling as though people are laughing at him. He sleeps poorly and has nightmares about the prison. He stopped smoking six months ago in an attempt to improve his stomach symptoms, but has noted no change. He has requested a transfer to a cell with other non-smokers, but this has also been denied. He has also requested a special diet to improve his stomach complaints (nausea, dyspepsia), but this too has been denied.

Mr. Wolf has worn glasses for many years to correct a significant astigmatism. He is not allowed to have his glasses from home, and when the prison-provided glasses broke several weeks after being issued, he was told that he was only entitled to one pair per year, and thus would have to wait another year for a new pair. For the past six months, he has worked without his glasses as a lathe operator in the machine shop. When his sister attempted to bring him glasses in March 1988, she was not permitted to give them to him. Mr. Wolf also complained of ear pain from the noisy workshop conditions where no ear protection is provided.

Mr. Wolf said he felt depressed all the time. When asked if he had considered suicide, he answered yes but denied having

thought about how he might do it or having real suicidal intent. He has trouble with his memory and is bothered regularly by nightmares about his imprisonment. He sleeps poorly, especially when he is on the night shift. His shift is changed each week, and he feels as though he is never able to adjust to his schedule. A formal mini-mental status examination revealed him to be oriented to person, time, place and circumstances. He denied auditory or visual hallucinations. He could give the names of the leaders of the USSR and U.S.A. and could interpret proverbs abstractly. He made three errors on serial 7 examination consistent with a mild cognitive impairment.

As a prisoner in a Category 3 facility, Mr. Wolf is allowed one visitor per year for one hour. His sister comes each March and always asks whether he received the birthday greetings she sent the previous January. Not once in four years has he received them. He is permitted to write every three weeks and does so regularly, but he does not know whether his letters get to his sister. She reports to him at the yearly visit that she has been writing him regularly, but he went for six months in 1987 without hearing from her, despite the fact that she wrote four times. He is allowed one 2 kg. parcel per year which she brings in March. He has been shown letters addressed to him from Australia and other parts of the world but has not been given them.

Wolf has been subjected to periodic punishments for refusing to work, or for complaining about his health status. In the past

six months, he has had four periods of punishment, one of 15 days and three of 10 days duration. During these periods, he is removed from his usual cell in the political section of the prison and placed with eight of the most hardened criminals. He stated that during these periods of punishment, he has been the victim of several attempted homosexual attacks, but so far has been able to thwart them. As an additional form of punishment, his food is restricted, with his bread quota reduced from 400 gms per day to 300 gms. Wolf explained that a typical diet consists of bread, coffee and two eggs for breakfast, meat and dumplings for lunch, and rice or potatoes and carrots for dinner. The menu rotates on a 15-day cycle. He is provided with one lemon every three weeks. He could not remember what he had eaten the previous evening.

At the close of the interview, Mr. Wolf asked for Dr. Lawrence's pen as a "remembrance." Dr. Lawrence gave it to him, and Dr. Kirschner added a ball point pen as well. The interpreter said that Mr. Kordik would have to approve, and when Mr. Kordik entered the room, he stated that prison regulations did not permit such gifts. With a wry expression, Mr. Wolf returned the pens to Drs. Kirschner and Lawrence, shook their hands, thanked them for coming and left the room. He was last seen walking down the corridor, hands clasped behind his back, head bowed, followed by two guards.

Other Cases of Concern

Several requests were made for additional information about the four other political cases of immediate concern to Helsinki Watch and Physicians for Human Rights. Drs. Kirschner and Lawrence asked on numerous occasions for information about these individuals and were finally told by a senior official in the Health Office of the Ministry of Justice that information on their current health status would be obtained and sent to PHR. At this writing, the following information is known:

Petr Hauptman -- born 8/7/46; employee of customs office.

Hauptman had emigrated to West Germany in October 1982, but returned two months later for family reasons and was detained on September 12, 1983, after repeated interrogations. He was sentenced on February 9, 1984, by the Municipal Court in Prague to 10 years for espionage (para 105/2) and illegal departure from the Republic (para 109/1), and for five years after his release he will not be permitted to work in any state institution; serving in Minkovice prison, category 2 prison. He is described by his family as aging very quickly, losing weight and very depressed.

Josef Romer -- born 10/7/55; technician; sentenced in 1977 to 11 years for espionage (para 105/1); the circumstances of an allegedly previous sentence of two years under para 109 (leaving the Republic) are not known; serving in Valdice prison; probable release in January 1991. Conditions of

imprisonment have undermined his health and he is trying to sue the prison management for damages. Specifics of his health status are not known.

Frantisek Veis -- born 7/5/32; Charter 77 signatory, former army officer, later driver; detained on April 9, 1979, and sentenced to 12 years for preparation to espionage (para 7/1 to para 105), allegedly for offering to divulge a military secret in 1975; previously, in 1978, sentenced to 18 months of imprisonment for his participation in an illegal departure from the Republic of Vojtech Vala; served 11 months before being released conditionally. This sentence was included in the 12-year sentence, so probable release should be in May 1991; serving in Valdice prison and is seriously ill. Specifics of his health status are unknown.

Meetings with Czechoslovak Officials

In addition to the meetings with officials of the Ministry of Foreign Affairs, the Forensic Pathology Institute at Hradec Kralove, and the prison officials at Valdice, Drs. Kirschner and Lawrence met with Dr. Lubomir Ondracek, head of the Medical Services for Prisons in Bohemia in the Health Office of the Ministry of Justice. Dr. Ondracek reviewed the details of the medical records pertaining to Pavel Wonka as reported above, responding to questions about certain discrepancies in the autopsy findings and the prison medical reports. He also responded to questions raised about the medical treatment provided to Jiri Wolf at Valdice. Dr. Ondracek said that it is the policy of the Ministry of Justice to grant prisoners' requests for consultations although it is in the power of the attending general practitioner to decline the request if it seems unnecessary. He also stated that caloric restrictions are not used as a form of punishment, and that a study of the Czechoslovak prisons in 1987 showed an overall weight gain among prisoners.

Dr. Ondracek stated that homosexual activity is less of a problem in Czechoslovak prisons than elsewhere and that when it did occur, it tended to arise among the "hardest criminals serving the longest sentences." The prison system does not permit conjugal visits. However, prisoners in Category 1 facilities are allowed weekend passes to be with their spouses if their behavior warrants it.

Dr. Ondracek agreed to obtain a neurologic consultation for Jiri Wolf, to assist him in obtaining new glasses, to enforce the prison regulations prohibiting food restrictions, and to request alteration in his work shift so as to permit a longer interval between shift changes.

Dr. Kirschner and Dr. Ondracek discussed the benefits of establishing a European society for prison physicians and the importance of Czech participation. Dr. Ondracek agreed that there is a need for improved standards for prison health and further study of methods to achieve these improvements.

Meeting with Charter 77 Signatories and VONS

On their final evening in Prague, Drs. Kirschner and Lawrence met with six Charter 77 signatories and members of VONS (Committee for the Defense of the Unjustly Prosecuted). Several of them had been to Vrchlabi that day to attend the funeral of Pavel Wonka. They reported that the church had been filled with about 1,000 mourners and several hundred more had to stand outside. This was a very large crowd for a funeral service in a small Czech village and, in their view, that demonstrated the high regard people felt for Pavel Wonka and their outrage at his premature death. Normally, funeral announcements are printed for distribution by the family to friends and relatives of the deceased. This was not allowed in Pavel Wonka's case so a "samizdat" announcement was prepared (photocopy and translation appended to this report) and distributed at the funeral.

Several people at the funeral approached Charter 77 signatories to say they had been in prison with Wonka for their political activities. These individuals had not been known to VONS, and it is thought that there are many other similar cases. Unless relatives are willing to contact VONS, there is no way of knowing about political prisoners since the court proceedings are secret, and lawyers are often reluctant to give information.

The Charter 77 representatives made the following recommendations, which have been endorsed by Helsinki Watch and Physicians for Human Rights:

- 1) The Czechoslovak government should recognize the need for

development of the science of penology, especially prison psychology, in order to improve the conditions and treatment of all prisoners in Czechoslovakia.

2) The overall health care and mental health care of the prisoners should be studied reviewed by the Ministry of Justice.

3) The governments of the United States and Czechoslovakia should have exchanges in order to study their respective prison systems.

4) The government of Czechoslovakia should pay serious attention to the observations and recommendations made by VONS. The case of Pavel Wonka is an example of the validity of VONS concerns.

5) Physicians for Human Rights and Helsinki Watch should continue to request permission to visit Veis, Romer and Hauptman in order to assess their health status and to continue to monitor the situation of Jiri Wolf.

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