

# The Wire

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[Page 1]

## Japan's 'comfort women' demand public apology

*'Now you want a witness to my rape? I am a witness. I am my own witness. I was the one raped. I was the one ruined.'* Lola Julia Porras, held captive in a tunnel in the Philippines and raped by occupying Japanese forces in 1942 when she was 13 years old

As 15 August – the 60th anniversary of the end of WWII in the Pacific – draws near, hundreds of thousands of so-called “comfort women” are stepping up their demands for compensation and an apology from the Japanese government. So far, their appeals have fallen largely on deaf ears.

A sterile euphemism, the term “comfort women” belies the brutal humiliation suffered by women condemned to sexual slavery by their Japanese captors from the 1930s to the end of WWII. “I was taken to China when I was 16 years old and was there for 56 years,” says Lee Ok-sun of Korea, aged 79. She was abducted and taken to Yanbian, northeastern China, where she was forced into sexual slavery in a “comfort station”.

“The age range of the girls was from 14 to 17, and they forced us to serve 40 to 50 soldiers a day,” she says. “It was impossible to serve that many men, so I refused and was beaten. If a woman refused, they cut her body with a knife; some girls were stabbed. Some girls got diseases and died... It was a painful experience – there was not enough food, not enough sleep and I couldn't even kill myself. I desperately wanted to escape.” Lee Ok-sun's ordeal only ended three years later with the liberation of China in 1945.

The Japanese set up “comfort stations” wherever they were based during the course of the war. Their victims were Chinese, Taiwanese, Korean, Filipina, Malaysian, Dutch, East Timorese and Japanese. Women were brought to the stations often through abduction or deception; sometimes they were bought from their destitute parents. The majority of the victims were under the age of 20 and some girls were as young as 12.

Despite the widespread prevalence of what was essentially institutionalized rape, the issue of “comfort women” was ignored by the International Military Tribunal for the Far East, set up after the war to prosecute Japan's war criminals. Only during the Dutch military tribunal in Indonesia were prosecutions made. But these prosecutions were for the sexual enslavement of Dutch women only; similar crimes against Indonesian women went unpunished.

Humiliated and ashamed, “comfort women” survivors remained silent for decades before finally speaking out in the early 1990s. Many women were severely traumatized, many never married and many were unable to have children as a result of the torture they suffered. The Japanese government responded with the introduction of the Asian Women's Fund in 1995. But the fund's restriction to private sector donations has been seen as the government evading its responsibilities.

“I want justice – more than the money,” says survivor Lola Amonita of the Philippines. “I want a public apology from the Japanese government.”

Since 1992, Korean “comfort women” have been demonstrating every Wednesday in front of the Japanese embassy in Seoul, South Korea, calling for justice. Show your support by joining the thousands worldwide who will be demonstrating in solidarity with them on 10 August. For more information, contact your local AI section.

[Picture caption: Former 'comfort women' and AI members demonstrate outside the Japanese embassy in the Philippines, March 2005]

## Mass forced evictions in Zimbabwe continue

Since May a massive, country-wide operation of forced evictions and demolitions in Zimbabwe has left a trail of physical destruction and human despair – in some areas resembling the aftermath of a natural disaster. People have called it Zimbabwe’s tsunami. It is not hard to see why. Community after community, home after home, has been razed to the ground. Eye-witnesses to the demolitions have spoken of their shock and horror at the senselessness of the destruction and the appalling human misery the government’s mass eviction operation has created.

Many people have lost everything – forced to watch as police bulldoze or burn their homes and possessions. Health care and education facilities, even community facilities for orphans, have been destroyed during the government operation. Thousands of children have seen an abrupt end to their education. No care whatsoever has been shown for the most vulnerable in society –among those most severely affected are widows, orphans, the ill and elderly people caring for their grandchildren. While some have found shelter with friends and relatives, others are sleeping outside during winter. Deaths from hunger and exposure are already reported.

At the start of the operation the government told them to “go back to the rural areas”, in blatant disregard of the fact that many rural areas are already suffering from acute food shortages. Additionally, such an influx of people would put a huge extra burden on rural schools and health facilities, many of which are already in a state of near collapse. Many of those the government has evicted had already fled their rural homes as a result of political persecution over the past five years – and they cannot go back.

In some areas people are being forcibly removed in trucks by the police. “They burned all our shelters,” one victim in Harare told AI, “and they tried to put people on trucks but some are refusing – we don’t know where they are taking us.”

It is not clear where people are being moved to in Zimbabwe. Some have been taken to so-called “transit camps”, such as Caledonia Farm, which are reported to have inadequate space, shelter, water and sanitation. Their future is unclear.

The government’s mass eviction and demolition campaign is called Operation *Murambatsvina* (“drive away rubbish”). The disturbing concept, getting rid of that which is unwanted, carries echoes of *Gukurahundi* (“the rain that washes away the chaff before the spring rains”) – the name given to a government operation in the 1980s which saw thousands of people in Matebeleland and Midlands denied access to food, tortured and killed. The government of Zimbabwe has never been held accountable for the atrocities committed during the *Gukurahundi* period. And without justice and accountability, the cycle of human rights violations in Zimbabwe will be repeated.

[Picture caption: Catherine Harande, aged 10, carries wood recovered from her family’s home destroyed by government troops in Mabvuku, Zimbabwe, in June]

[Page 2]

## Uganda’s ‘night commuters’ seek protection from abduction

*“We come to the shelter because I fear being abducted again. I was eight years old then. I do not want my brothers and sisters to be abducted as I was. We walk fast in the night to be here.”*

Each night, Angel (*quoted above*), aged 14, walks a kilometre to the safety of a shelter at St. Mary’s Hospital, Lacor, with her four siblings.

Nightfall in northern Uganda brings with it the fear of abductions and a unique way of coping – “night commuting”. As many as 12,000 children have been abducted by the armed opposition, the Lord’s Resistance Army (LRA), for use as soldiers, sex slaves and porters

since June 2002. An unknown number have been killed, while over 15,000 have escaped or been rescued by government soldiers – the Uganda Peoples’ Defence Force (UPDF) – since the war began in 1986.

Insecurity in the Gulu, Pader and Kitgum districts of northern Uganda has led to parents sending their children to sleep in urban areas or into the middle of camps for internally displaced persons (IDPs). However, the night commuter phenomenon is also symptomatic of the broader issues relating to the protection of civilians in northern Uganda.

Walking several kilometres each way, many children sleep at specially established centres in towns and their outskirts, such as Lacor, about five kilometres from the town of Gulu. These centres, run by non-governmental organizations, provide a safe and clean place to sleep, clean water and sanitation, basic health care and counselling.

However not every IDP camp is near a centre which offers protection. Each night, tens of thousands of children and a number of adults who are too far from these centres move into the middle of the IDP camps because they feel safer there than on the edges. Those who move to the middle of the camps do not benefit from any special support or protection.

The number of night commuters varies depending on perceptions of safety. A sharp rise since the beginning of the year can be directly linked to the heightened activities of the LRA after the collapse of the peace talks which were initiated to end the conflict between the LRA and the government of President Yoweri Museveni.

Trying to evade abduction and brutal attacks, most of the children commute without the protection of adult family members to spend the night in urban areas, hospitals, churches or on shop verandas. In so doing, they run the risk of harassment from both government soldiers and the LRA.

Barry, 12 years old, walks two kilometres to reach one of the centres. He has lost both parents in the war. “I come to the centre because I feel safer here,” he says. “I am afraid to remain at home as I may get abducted. I live with my aunt. Both my parents were killed by the rebels.”

After almost two decades of conflict in northern Uganda, there are still reports of continuing human rights violations, killings, mutilations, abductions, rape and sexual violence. Children bear the brunt of the general climate of violence, their rights violated on a daily basis. With no security in their own homes, they struggle to find an illusion of safety in night commuter shelters.

[Picture caption: ‘Night commuters’ celebrating the Day of the African Child at St. Mary’s Hospital, Lacor, on 16 June 2005]

## **Asylum-seekers in Australia remain in long-term limbo**

Ahmed was not quite 11 years old when his family arrived in Australia seeking asylum. Placed in immigration detention, his mental health deteriorated alarmingly. Ahmed tried to hang himself twice in seven months and committed many acts of self-harm. After three long years Ahmed and his family were finally recognized as refugees and released.

This is just one of the stories contained in AI’s June 2005 report, *The impact of indefinite detention: The case to change Australia’s mandatory detention regime* (ASA 12/001/2005). There are hundreds more stories which could be told of lives blighted, sometimes irredeemably, by Australia’s mandatory detention regime.

AI estimates that as at 29 May 2005, 210 people detained in Australian immigration facilities (including the offshore centre on the South Pacific island of Nauru) had been there for over 18 months. The longest serving detainee at that time was Peter Qasim, a rejected Kashmiri asylum-seeker who had been held since September 1998. Australian law requires that a non-national in Australia without a valid visa must be detained until he or she is either granted a temporary protection visa or leaves the country. Rejected asylum-seekers such as Peter Qasim,

who cannot leave Australia because no country will accept him as a national or allow him entry, face being detained indefinitely.

Since the report was finalized, Peter Qasim's situation has improved slightly. He has been granted a Removal Pending Bridging Visa which allows a non-national in immigration detention to be released when it is not possible to remove them from Australia. To be eligible for this visa the visa holder must agree to leave the country when the Australian government requires them to do so.

Peter Qasim is now being treated for mental illness caused by his prolonged detention, but the uncertainty of his present situation only adds to his stress and does little to aid his recovery.

Australia's mandatory detention regime places it in breach of several of the inter-national human rights treaties which it has signed up to, including the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child. In June the Australian Prime Minister announced several changes to the detention regime, intended to soften its edges without altering the fundamental policy.

While the changes are a step in the right direction, they have not adequately addressed the key recommendations made in AI's report. Unless further changes are made asylum-seekers who arrive without a valid visa will continue to be automatically detained in contravention of Australia's obligations under international human rights and refugee law. They will continue to be held without an assessment of whether their detention is necessary and proportionate, and without access to review by an independent body able to order a release.

The only safeguard against indefinite detention will be the Minister for Immigration's discretion – which she cannot be forced to use. And any alternative to indefinite detention for rejected asylum-seekers who cannot be returned will also be at the Minister's discretion.

Kept in limbo and unable ever to apply for permanent residence, Peter Qasim faces a lifetime of being in Australia but never being part of its community.

[Picture caption: AI Australia presents a photographic petition, supported by more than 10,000 people, to the government calling for an end to the indefinite detention of asylum-seekers]

## **Yemenis held in secret US detention centres**

*"I couldn't bear it any longer... even if I was an animal I wouldn't put up with it."* Salah Nasser Salim 'Ali speaking about his secret detention by US authorities

For almost two years Muhammad Faraj Ahmed Bashmilah and Salah Nasser Salim 'Ali, both Yemeni nationals, were detained incommunicado without charge or trial in unknown locations, guarded by men "with American accents". They were never given any reason for their detention. When AI delegates visited them in prison in Yemen in June, they told how they were held in solitary confinement since 2003 with no access to family, lawyers or diplomatic representatives.

They remain in detention in Yemen, despite the authorities' admission that they have no reason to continue holding them. Yemeni officials told AI that the men are in continued detention at the request of the US authorities.

Salah Nasser Salim 'Ali was seized in Jakarta, Indonesia, in August 2003 and told by Indonesian officials that he would be deported back to Yemen via Jordan. He was detained on arrival in Jordan. Muhammad Faraj Ahmed Bashmilah was detained in Jordan in October 2003. The two men were initially held in solitary confinement for approximately four days in Jordan. Salah Nasser Salim 'Ali says that he was routinely beaten by Jordanian officials. He was spat upon, verbally abused and threatened with sexual abuse and electrocution. He also described being subjected to the torture technique known as *falaqa* (beatings on the soles of the feet).

The men described how they were then blindfolded, shackled and transported by plane to another location. Both men state that the guards were from the USA.

They were held in an underground facility with high walls. Western music was piped into the cells 24 hours a day. Neither knew the other was detained. Held in solitary confinement, they had “disappeared” from the rest of the world.

About six months later they were transferred to another unknown site which they described as a modern, purpose-built, underground detention facility run by US officials. It was fully air-conditioned with modern toilets and surveillance cameras in the cells. At no point did they have contact with other detainees. Muhammad Faraj Ahmed Bashmilah estimated that there were about 15 or 20 others detained in the same facility.

The two men were released from secret detention and transferred back to Yemen in May, with no explanation. They remain detained in the central prison of Aden. Neither has been charged or tried with any offence and neither can understand the reasons for his continued detention. Salah Nasser Salim ‘Ali now has a daughter nearly two years old who he has never seen. In June, Muhammad Faraj Ahmed Bashmilah said: “In Yemen I thought they would open their hearts to me, but instead they opened the prisons. I thought they would appreciate the suffering I have been through”.

**ACT NOW!**

Please write to the Yemeni authorities, urging them to release Muhammad Faraj Ahmed Bashmilah and Salah Nasser Salim ‘Ali immediately unless they are to be promptly charged with recognizable criminal offences in a trial that guarantees the minimum international standards for fair trial.

Send letters to: His Excellency, Dr Rashid Muhammad al-’Alimi, Minister of the Interior, Ministry of the Interior, Sana’a, Yemen. Fax: +967 1 332 511.

[Page 3]

## **Worldwide Appeals**

### **Bosnia and Herzegovina**

#### **‘Disappeared’ for 10 years**

Colonel Avdo Palić was forcibly taken by soldiers of the Bosnian Serb Army (VRS) from the UN Protection Forces compound in Žepa, Bosnia and Herzegovina (BiH), on 27 July 1995. He had gone there to negotiate the evacuation of civilians from the town which had just surrendered. He was commander of the BiH army in the UN “safe haven” of Žepa in eastern BiH. General Ratko Mladić, the VRS commander, was reportedly present during these negotiations, which were conducted by General Zdravko Tolimir. Avdo Palić was never seen again after reportedly having been taken by helicopter in the direction of General Mladić’s headquarters in eastern BiH. Apparently still in custody in 1996, he was allegedly being considered for a prisoner exchange.

In January 2001, the BiH Human Rights Chamber ordered a full investigation into the “disappearance” of Avdo Palić.

In October 2001, following pressure from AI members, the Minister of Defence of the Republic of Srpska (RS) verified that Avdo Palić was taken to Vanekov Mlin prison in Bijeljina in August 1995 and moved from there in September 1995 with a view to exchanging him. The Ministry stated that they had no further information about his “disappearance” and no knowledge of his whereabouts.

A letter sent by the RS Ministry of Interior to AI groups in March 2003 stated that an investigation into Avdo Palić's "disappearance" was still ongoing.

In February 2005, Zdravko Tolimir was indicted by the International Criminal Tribunal for the former Yugoslavia. He is accused of crimes against humanity and violation of the laws or customs of war in the context of the events surrounding the fall of Srebrenica and Žepa in 1995. At the time of writing, Zdravko Tolimir remains at large.

Please write, calling on the RS authorities to carry out a full investigation into the fate and whereabouts of Colonel Avdo Palić and to bring those reasonably suspected of participation in his "disappearance" to justice. Call for the authorities to inform Avdo Palić's family and AI of any further progress in the investigation.

Send appeals to: Prime Minister, Pero Bukeylović, Vuka Karadžića 4, 51000 Banja Luka, Republika Srpska, Bosnia and Herzegovina. Fax: +387 51 331 366. Email: [kabinet@vladars.net](mailto:kabinet@vladars.net)

## **Palestinian Authority/Occupied Territories**

### **Risk of execution**

Between 30 and 50 prisoners held on death row in Palestinian Authority (PA) prisons are at risk of execution at any time.

Four men were executed on 12 June when President Mahmoud Abbas authorized the first executions to be carried out by the PA since August 2002. According to PA officials, the president ordered the resumption of executions in response to increased crime and lawlessness in areas of the Occupied Territories which fall under PA jurisdiction. It is feared that more executions will be carried out in the near future.

Many of those on death row were sentenced to death after unfair trials in the State Security Court, in military courts or in other courts. Most were convicted of murder, abduction or rape, and others were convicted of collaborating with Israeli intelligence agents to assassinate other Palestinians.

On 22 June, the president ordered a retrial for all those sentenced to death by the State Security Court. However, while AI welcomes this decision there are concerns that they could be executed even after a retrial and that prisoners sentenced by other courts remain at risk of execution. AI believes that resuming executions will in no way solve the problem of increasing crime and lawlessness in the Occupied Palestinian Territories and is a step backwards for human rights.

Please write, urging President Abbas not to ratify any more death sentences and to impose a moratorium on executions. Call for all those sentenced to death after unfair trials to be retried in compliance with international standards.

Send appeals to: President Mahmoud Abbas, Office of the President, Palestinian Authority. Fax: +972 8 282 2365.

## **Viet Nam**

### **Imprisoned for Internet use**

Nguyen Khac Toan, a teacher and businessman who has campaigned for greater democracy in Viet Nam, was arrested on 8 January 2002 for writing and posting pro-democracy articles on the Internet. He also petitioned the Vietnamese authorities on behalf of rural communities whose land and property had been confiscated. He is currently detained at Ba Sao prison camp in northern Viet Nam.

At his trial, in December 2002, he was charged with “spying”. It took less than a day for the court to consider his case and sentence him to 12 years’ imprisonment and three years’ house arrest after his release. Nguyen Khac Toan was denied proper access to his lawyer and his trial did not meet international standards of fairness.

Nguyen Khac Toan is one of at least 10 dissidents arrested and imprisoned since 2002 for using the Internet to share and communicate information about human rights both in and outside Viet Nam. Three of them, including Nguyen Khac Toan, are now serving long prison sentences for “spying”.

Using broadly defined national security legislation and charging Nguyen Khac Toan with “spying” effectively criminalized his peaceful political dissent. Currently Vietnamese law does not distinguish between peaceful and non-peaceful dissent and those who openly criticize the government are subject to long prison sentences.

Please write, calling for the immediate and unconditional release of Nguyen Khac Toan, imprisoned solely for the peaceful expression of his political opinions. Call on the authorities to end the use of national security legislation to criminalize peaceful political dissent and freedom of expression.

Send appeals to: Prime Minister, Phan Van Khai, Office of the Prime Minister, Hoang Hoa Tham, Ha Noi, Viet Nam. Fax: +884 199 2682 (c/o Ministry of Foreign Affairs – please mark “for the attention of Prime Minister Phan Van Khai”).

## Updates

### **Myanmar releases hundreds, more than 1,100 still detained**

Hundreds of political prisoners across the country were released by Myanmar authorities in July. Among the more than 200 freed were U Sein Hla Oo (*Worldwide Appeal* January 2005), a newspaper editor and member of parliament for the National League for Democracy (NLD) who had been detained for over 10 years. Two Buddhist nuns, Ma Tin Tin Oo and Ma Than Htay (*Worldwide Appeal* March 2004), were also released. Arrested in January 2003 for their peaceful protests against the government, they were each given a 15-year prison sentence.

However, more than 1,100 political prisoners are still detained. Many of them are prisoners of conscience. Journalist U Win Tin, aged 75, co-founder of the NLD (*Worldwide Appeal* December 2001) was reportedly given every indication that he would be released but is still in prison. Daw Aung San Suu Kyi, (*the Wire* June 2005) leader of the NLD, remains under house arrest. Arrests for political reasons continue in the country.

ACT NOW!

Please sign AI’s petition for the release of all prisoners of conscience and an end to the abuse of the justice system in Myanmar on [www.amnesty.org](http://www.amnesty.org)

### **Nepal frees AI activist**

Krishna Pahadi, former chair of AI Nepal and founding chairman of Nepal’s Human Rights and Peace Society, was released on 4 July. He spent five months in prison for his peaceful work in defence of human rights.

Arrested on 9 February during the state of emergency in Nepal, Krishna Pahadi was held in Naxal, Kathmandu. He described the AI High Level Mission to the country in February, during which AI Secretary General Irene Khan met him in prison, as “a candle in the dark” which “contributed to bring positive changes in Nepal”. In the months following, AI representatives from Denmark, Japan and Ireland also visited him.

Upon his release, Krishna Pahadi was given a box of more than 200 letters and postcards sent by AI supporters around the world. He was told that hundreds more had been received at the detention centre. These letters, he believes, were instrumental in ensuring his safety and eventual release.

“I want to give special thanks to everyone at Amnesty International,” he said. “I wrote many letters for prisoners of conscience [in the past], but now realize how important it is.”

See *the Wire* April 2005.

## **Saudi Arabia**

### **Brothers released**

Possible prisoners of conscience, Sa’ad Bin Sa’id Zu’air and Mubarak Bin Sa’id Zu’air, have been released.

Sa’ad Bin Sa’id Zu’air was released uncharged on 4 July, after three years’ imprisonment in solitary confinement. In March, AI learned that his brother, Mubarak Bin Sa’id Zu’air, had also been released. The two men had been held at al-Ha’ir prison, in Riyadh, since July 2002 and June 2004 respectively, after the public campaign for the release of their father, Dr Sa’id Bin Zu’air. Dr Sa’id Bin Zu’air was re-arrested in April 2004 after calling for political reform in Saudi Arabia. He was previously detained without charge or trial for eight years, until his release in March 2003. AI believes he may be a prisoner of conscience, imprisoned solely for the legitimate exercise of his right to freedom of expression.

Please continue writing to the Saudi Arabia authorities seeking clarification of his legal status and calling for his release if he is a prisoner of conscience detained solely for the legitimate exercise of his right to freedom of expression.

See *Worldwide Appeals* October 2004 and June 2001.

### **Death sentence annulled**

Majda Mostafa Mahir, a Moroccan national who was sentenced to death in 1997 for murder, may no longer be at risk of execution after the sentence against her was reportedly revoked.

According to a press release issued by the Saudi Arabian embassy in Rome, Italy, in May, the death sentence was annulled after the sons of the man she was committed of murdering waived their right to demand her death.

AI wrote to the Minister of Interior in June seeking clarification of these reports. She remains in Briman Prison, Jeddah.

Please continue writing to the Saudi Arabia authorities welcoming these reports and seeking confirmation that she is no longer at risk of execution.

See *Worldwide Appeal* November 2004.

## **Zimbabwe**

“I feel very sad for those that are left behind... I should imagine if one gets to hell, that is what you experience,” said Roy Bennett on his release from jail.

AI welcomes the release of former MP Roy Bennett on 28 June. Following a demonstrably unfair trial, Roy Bennett received a grossly disproportionate sentence in October 2004, after pushing a fellow MP to the floor in the Zimbabwean Parliament.

While in prison, Roy Bennett appears to have been singled out for specific acts of ill-treatment by prison authorities, including reportedly being poked in the eye by a prison guard and told that he would “suffer” while at Chikurubi prison. Upon his release, he reportedly said, “I will definitely still be in politics... I would love to just get the people of Zimbabwe’s dignity back”.

See *Worldwide Appeal* March 2005.

[Page 4]

## **Inside Guantánamo Bay**

Human rights lawyer Clive Stafford-Smith talks to AI about his experiences inside the notorious US detention centre at Guantánamo Bay, Cuba

I went to Guantánamo for the first time in November [2004] and I've been back four times now. You're never quite sure whether to laugh or cry when you're there. The soldiers go around saluting each other saying, "Honour bound, sir," and the other says, "To defend freedom".

I think if you'd been asking two years ago, would we be closing Guantánamo, it wouldn't have been on the radar screen. Now Guantánamo is in its death throes, but of course, it's always been a distraction from the real issues. And the real issues are if you've got 520 people in Guantánamo, there are probably another 12,000 folk who are being held in US detention centres around the world and being abused there. The bigger problem is, what's the substitute? Unfortunately, I think, the US has plans to take a lot of prisoners away from Guantánamo to Bagram airforce base and beyond. We have to start thinking beyond Guantánamo Bay to all the other detention centres and American proxy prisons around the world.

The treatment of the prisoners has been one long horror story. Take, for example, the Koran desecration scandal. That is just one of many, many things that have been done. We've had prisoners who have been taken to Egypt to have electric shock torture. I've got a client who was taken to Morocco where they took a scalpel to his penis. Almost every single one of my clients has been subjected to the *strappado* [a technique used during the Spanish Inquisition] which is where you hang someone up by their wrists and basically dislocate their shoulders by leaving them there for ages, and you beat them while they're up there.

I have a terribly hard time establishing trust with the prisoners... Because of the manipulation and all this devious stuff, the prisoners are very paranoid. The moment we got lawyers in there, for example, the US military sent interrogators in pretending to be lawyers.

We want prisoners to be released from Guantánamo, but it's a more complicated issue than that. There's a large number of folk who come from countries where they would be tortured or even killed. Our problem is that if you assert asylum and have nowhere to go, then you get locked up in prison. So unless we can find countries that are willing to accept prisoners, any time we claim asylum for someone, we're just giving the Americans a ticket to hold them in Guantánamo forever.

One thing I find truly frightening about the whole process at Guantánamo Bay is how it exposes the incredible limitations on American intelligence. Perhaps the most obvious is that, after three years of interrogation, the United States military can't even get my clients' dates of birth right. I'm representing juveniles – children in Guantánamo Bay – and the US doesn't even know their dates of birth. And if they can't get that right who's to think they get other things right? The argument that Guantánamo is producing very important intelligence is risible.

*This is an edited extract from an interview with Clive Stafford-Smith, 13 June 2005, London. The opinions stated are those of the author and do not necessarily reflect AI policy.*

## **Families and Sana'a Committee highlight plight of detainees**

Families, including the children of Guantánamo Bay detainees, met members of the Sana'a Committee (comprised of lawyers and AI representatives) as well as other activists in the Yemeni capital, Sana'a, in June. Together, they participated in a meeting held to highlight the plight of those detained, outside the rule of law, after 11 September 2001.

The focal point of the meeting was when children of the detainees demanded to see their fathers, expressing their feelings in front of the gathered media. Wives and relatives highlighted the impact of the absence of their loved ones on their families. They described both the emotional and the financial hardship which has continued for more than three years, without a ray of hope.

The Sana'a Committee, which was formed last year to put pressure on governments to respect the rule of law and to bring an end to the suffering of those detained without charge or trial after 11 September 2001, met for two days in June. It agreed to expand its mandate, strengthen the coordination of the Committee and endeavour to provide legal assistance and support to the families of the detainees.

A statement was issued at a press conference on 18 June. See *Yemen: A year on, the Sana'a Committee demands government accountability with respect to illegal detention centres worldwide* (MDE 31/009/2005).

## **Brazil's landmark torture ruling**

Fifteen-year-old "José" left his home in Xinguara, Pará State, Brazil, to meet friends on 7 June 1999. He did not return home that night. His mother learnt that he was detained at a police station and when she was eventually allowed to visit him the next day, he was in severe pain and covered with bruises. After leaving his home, he had been followed by police, stopped, beaten, taken to an unknown location, beaten again, taken to a police station and eventually detained on charges of possession of a handgun and a small amount of cannabis. According to other boys who were held in the police station, he was then beaten so severely they feared he might die. On 9 June, "José" was released on condition that his mother did not file a complaint. "José" suffered from psychological problems as a result of the torture and has required frequent hospital care.

Following his release, the teenager's mother began a long struggle for justice, starting with a formal complaint to the Public Prosecutor and a brave appearance on Brazilian television. The case drew national and international attention. The police responded by intimidating "José", his mother and his lawyer.

On 14 June 2005, two civil police officers were convicted under Brazil's 1997 Torture Law to eight years and five years four months in prison, respectively. This is the first conviction under the Torture Law in southern Pará, a state notorious for police brutality. Very few cases are ever investigated, often because survivors and witnesses are too afraid to come forward.

Nevertheless, some concerns remain. The convicted officers will remain free pending their appeal, which could take several years to reach a verdict. There are fears that all those involved in obtaining the conviction of the two officers are at risk of reprisals and intimidation.

[Picture caption: Frei Henri, a lawyer from the Pastoral Land Commission, showing some of the thousands of letters sent by AI members and related to 'José's' case, February 2001]

## **Illegal arms exports**

Despite a UN arms embargo, military aid and arms transfers to the Democratic Republic of Congo (DRC) have continued during the peace process which was initiated in 2002.

Arms dealers, brokers and transporters from many countries – especially South Africa, the UK, the USA, the Balkans and eastern Europe – have played a role. The supply of weapons and ammunition to the governments of DRC, Rwanda and Uganda, and their distribution to armed groups and militia in the eastern DRC, have been instrumental in atrocities amounting to war crimes and crimes against humanity.

Millions have already lost their lives during seven years of conflict in the DRC. Armed men are still raping, looting and killing civilians – as arms deliveries continue.

AI is calling on the UN Security Council to renew and strengthen the UN embargo on arms exports to the DRC and all states, to ensure that violations of UN arms embargoes are made a serious criminal offence.

AI is also calling for an Arms Trade Treaty to strictly control the transfer of all conventional arms and prevent them being used for grave human rights abuses.

See AI's report, *Democratic Republic of Congo: Arming the east* (AFR 62/006/2005).

[Picture caption: AI campaigns for arms control, Westminster Bridge, London, June 2005]

## **Time to work together to combat hunger, homelessness and disease**

Around the world millions of people are denied justice because of who they are or what they believe. Targeted injustice not only limits their civil and political rights through detention, or extrajudicial killings; it extends to their economic, social and cultural rights, including their right to freedom from hunger and ultimately to their right to live with dignity.

Gross inequality is a global phenomenon; exclusion and marginalization exist in all countries, including the most wealthy. The responsibility to end this human rights scandal is rooted in binding obligations which guarantee economic, social and cultural rights for all.

For decades these rights have been marginalized or overlooked by the international community. Human rights defenders worldwide have changed this. From the Treatment Action Campaign's battles against drug companies and government reluctance to provide anti-AIDS medicines for pregnant women in South Africa, to demands for transparency in development expenditure by the Assembly of the Poor in Thailand, these issues have been pushed to the centre of the human rights agenda.

As AI joins these efforts, the document *Human rights for human dignity – A primer on economic, social and cultural rights* (POL 34/009/2005) outlines the scope of the issues and the related responsibilities of governments, companies and other actors.

This publication will be available from September.

[Picture caption: The cover of AI's new report shows a woman walking with remarkable dignity along a pipeline that carries clean water through the 'Mahim' shanty town to the wealthy parts of Mumbai, India]