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## **The backlash - human rights at risk throughout the world**

The world is still reeling from the shock of seeing thousands of people lose their lives in the devastating attacks in the USA on 11 September. The victims came from many countries and from all walks of life. The immediacy of the tragedy horrified, moved and angered people all over the world.

Amnesty International condemns unreservedly the attacks. It expresses solidarity with the victims and calls in the strongest terms for those responsible to be brought to justice. It argues that the response to these crimes must be conducted in strict conformity with international human rights standards.

At this time of widespread outrage and fear, Amnesty International has another role -- to try to stop the attacks in the USA being used as a pretext for further abuses of human rights.

Already there is a backlash. In many parts of the world people have suffered racist attacks because of their appearance and/or their religion. In the name of fighting "international terrorism", governments have rushed to introduce draconian new measures that threaten the human rights of their own citizens, immigrants and refugees.

There is also the danger that while the attacks in the USA and the prospects of a future military response dominate the news, other serious human rights concerns are ignored, obscured or pushed to the bottom of the international agenda. It is precisely in these circumstances that Amnesty International speaks up for the forgotten victims, the unpopular causes, the human rights of all.

### **Threats to human rights**

Amnesty International has concerns in many parts of the world about legislative, procedural and other initiatives that are being justified as part of the fight against "international terrorism". Governments have a responsibility to ensure the safety of their citizens, but measures taken must not undermine fundamental human rights standards. It appears that some of the initiatives currently being discussed or implemented may be used to curb basic human rights and to suppress internal opposition. Some of the definitions of "terrorism" under discussion are so broad that they could be used to criminalize anyone out of favour with those in power and criminalize legitimate peaceful exercise of the right to freedom of expression and association. They could also put at risk the right to privacy and threaten the rights of minorities and asylum-seekers.

In the USA the government has already proposed a major expansion of its power to detain immigrants, a move that could erode basic constitutional freedoms. Proposals include authorizing the authorities to detain indefinitely and deport immigrants, including legal immigrants, without presenting evidence against them or allowing them meaningful challenge of the legality of their detention. Proposed anti-terrorism legislation, which has drawn opposition in Congress, defines

“terrorism” extremely broadly, making a range of non-violent activities of association deportable offences. In other words, it introduces guilt by association. Other ideas being considered by the US authorities include ending the ban on CIA participation in assassinations outside the USA, which could amount to an endorsement of extrajudicial executions, and relaxing controls on recruiting sources or informants with records of human rights abuses.

Laws that threaten to curb civil liberties and possibly reduce safeguards against abuses of human rights have been rushed to the top of the agenda by politicians in Europe and elsewhere. On 25 September UN High Commissioner for Human Rights Mary Robinson said that the results of the meeting the previous week of European Justice and Home Affairs Ministers could signal a further erosion of certain liberties on the continent. The European Union (EU) is debating measures that would facilitate the transfer of people suspected of criminal offences from one EU member state to another by replacing extradition proceedings with a European arrest warrant. This may reduce judicial supervision of arrest and the procedures of surrendering detainees to another country. There are also definitions of "terrorism" under consideration by the EU that might lead to vaguely worded criminal offences, particularly in relation to the notion of “supporting a terrorist group.”

In Russia the Justice Minister proposed amendments to national laws in order to strengthen the “fight against terrorism”. These amendments would include the right of law enforcement authorities to detain people suspected of having links with terrorists and organized crime for up to 30 days without charge and without access to a lawyer.

All over the world, governments are debating or imposing measures to clamp down on illegal immigrants, threatening abuses of desperate people and undermining the rights of asylum-seekers. Such initiatives are under discussion in the EU, where proposals would raise further obstacles to prevent asylum-seekers gaining access to EU territory. Mary Robinson stated recently that the consequence could be a “harsher climate and context for refugees and asylum-seekers -- in other words, potentially a further hardening of the fortress Europe mentality, this time in the name of terrorism.”

The UK government is introducing new immigration controls. According to press reports in late September the government announced that it was considering giving the courts powers to detain indefinitely “terrorist” suspects who arrive from abroad until they can be repatriated or sent to another country. It also stated that it was considering changing legislation in order that people suspected of being a “terrorist” would no longer automatically have their asylum applications considered.

Millions of Afghans have fled their country seeking safety in recent years, including at least 3.5 million who are now in Pakistan and Iran. A further 1.1 million Afghans have been internally displaced owing to drought, armed conflict and food shortages.

The fear of imminent attack on Afghanistan has accelerated the mass movement of Afghans towards borders, and involved tens of thousands of people in September alone. Iran and Pakistan closed their borders making it difficult for terrified people to find sanctuary. Amnesty International called on all the neighbouring states to fulfil their international obligations towards refugees by opening their borders, and called on the international community to share the costs and responsibility of hosting Afghan refugees.

Neighbouring states have obligations under international law, in particular the principle of *non-refoulement*, which prohibits states from returning anyone against their will, directly or indirectly, to another country where they risk serious human rights abuses. The international community must offer protection and relief immediately to the Afghan refugees and provide adequate resources to the UNHCR for it to carry out effectively its mandate.

Amnesty International is also concerned that some governments may use the campaign against “international terrorism” to increase suppression of their opponents. The day after the attacks in the USA, Israeli soldiers and tanks entered Jenin, an area under the control of the Palestine Authority. They killed more than a dozen Palestinians, including a 14-year-old girl, Balgis Arda, who died in the shelling, a woman, Raja Freihah, and her cousin who tried to rescue her. The Minister of Defence Benjamin Ben Eliezar told the Israeli newspaper *Yediot Ahronot*: “It is a fact that we have killed 14 Palestinians in Jenin, Qabatiyeh and Tammum with the world remaining absolutely silent. It’s a disaster for Arafat.”

On 24 September the Israeli authorities declared a large strip of land beside the border of Israel a closed military area, forbidding Palestinians outside the area from entering it. The UN Secretary-General expressed his concern at what he called a “unilateral and provocative act”.

In the Russian Federation there was increasing talk by those in positions of power or influence of using the worldwide “war against terrorism” to solve the Chechen question. Several

government officials have drawn a close link between Usama Bin Laden's organization and the Chechen fighters, stating that Chechens had been trained by Usama Bin Laden. Following the events on 11 September, Russia increased pressure on Georgia to extradite Chechen fighters. Amnesty International fears a further escalation of human rights violations in the region.

Amnesty International also fears that in countries where there is an Islamic opposition movement, the government may increase suppression of such opposition under the banner of joining the international campaign against "terrorism".

In China, for example, the authorities may use the events in the USA to further increase their harsh suppression of Muslim ethnic groups accused of being "separatists", "terrorists" or "religious extremists" in the Xinjiang Uighur Autonomous Region in the northwest of the country. All official statements in China so far have emphasized the need to combat "all" or "any type" of "terrorist" activity rather than just "international terrorism", but the authorities make little distinction between

"separatist" and "terrorist" activities. Such a climate and response may aggravate the already dismal human rights situation in the region and lead to an increase in the widespread human rights violations targeted particularly at the predominantly Muslim ethnic Uighurs. There may also possibly be renewed government action against suspected "separatists" in Tibet.

In Turkey, suspected members of the armed opposition group Hizbullah (not the organization based in Lebanon) have recently been detained arbitrarily and tortured. There are fears that such abuses will increase in the current climate. The Turkish government also appeared to alter course in relation to the ongoing review of the 1982 Constitution, which was initiated as part of the effort aimed at meeting criteria for EU membership. The review had previously aimed at removing or altering articles that facilitated human rights violations. On 19 September the Prime Minister said that the constitutional amendments would now aim to "eradicate terrorism".

In Pakistan, the crisis has led to increased tension between the government and Islamist opposition, some with links to the Taleban. On 21 September two people were shot dead in Karachi as police broke up several rallies in support of the Taleban.

There is also concern that the Uzbek government may use the current climate as an opportunity to increase its suppression of any manifestation of perceived Islamic opposition with greater impunity. Thousands of alleged supporters of banned Islamic opposition parties or movements, including members of their families, have been detained or sentenced to long terms of imprisonment in Uzbekistan in recent years. There have been consistent allegations of widespread and systematic torture and ill-treatment.

There are several other human rights issues that may be obscured in the current climate. In many countries Muslims and people of Middle Eastern origin have been detained on suspicion of links with Usama Bin Laden's *al-Qaeda* network. Amnesty International is concerned that the rights of such people may not be fully respected. In several countries in the Americas, for example, including Argentina, Brazil, the Dominican Republic, Mexico, Paraguay, Peru and Uruguay, people have been detained or suspects are being sought on suspicion of links with Usama Bin Laden. It is feared that some may be victims of arbitrary detention and ill-treatment.

In addition, Amnesty International has fears that in the attempt to build an international coalition against "terrorism", proposals are being considered to increase military transfers to countries with a poor human rights record that might have serious consequences for human rights. There is also the danger that governments will ignore human rights violations by their new "allies" in the coalition, and that other human rights crises or concerns will slip way down the agenda of the international community and the world's media.

Amnesty International remains concerned about the continuing and gross human rights abuses suffered by people in Afghanistan -- concerns it has been raising with vigour for many years. In the areas controlled by the Taleban -- at least 90 per cent of the country -- Afghans have suffered extreme restrictions on their most basic civil rights, such as the right to freedom of expression and religion. Thousands of civilians have been massacred by Taleban forces, thousands have suffered arbitrary detention, and countless numbers have suffered torture, cruel, inhuman or degrading punishments, and the death penalty.

In the areas controlled by opposition forces -- now known as the Northern Alliance -- Afghans have also suffered widespread human rights abuses. These include massacres of prisoners of war, unfair trials, torture and executions.

Amnesty International fears that many people inside Afghanistan are suffering additionally as a result of the backlash from the attacks in the USA. Among those most vulnerable are civilians living in areas at the centre of renewed fighting between forces of the Northern Alliance and the Taleban, and non-Pushtuns living in Taleban-controlled areas, who may be seen as sympathetic to the Northern Alliance.

### **Racist attacks**

Soon after the 11 September attacks, graffiti appeared on a wall near a mosque in South Shields, the UK. Painted in red letters two metres high were the words, "Avenge USA - kill a Muslim now".

It is a terrible irony that within weeks of the UN World Conference against Racism, Xenophobia and Related Intolerance in Durban, South Africa, many communities around the world are facing a dramatic increase in racist abuse. This is despite the many calls by intergovernmental organizations as well as leading politicians in the USA, Europe and other regions for religious tolerance and against racist acts of vengeance.

In the USA there was a wave of compassion for the victims of the attack, with many people rushing to help, some at the cost of their lives. But the horror and fear triggered by the attack also unleashed a wave of bigotry across the country targeted at Muslims, Asians and those of Middle Eastern appearance. Such sentiments were fuelled by radio stations falsely reporting that Muslims in the USA were celebrating the attack.

The Council on American-Islamic Relations received reports of more than 540 attacks on Arab-Americans in the week following the hijackings, ranging from verbal abuse to physical assaults, many directed at school children. In the same period more than 200 Sikhs were victims of some kind of racist abuse. Two weeks after the attacks, the FBI had formally opened investigations into about 90 hate crimes, and local and state agencies were investigating hundreds of other incidents of assaults, harassment and threats.

Dozens of mosques and Hindu temples have been firebombed or vandalized. The Islamic Center of Irving, for example, a mosque in Texas, had its windows shattered by gunshots. A bag of pig's blood was reportedly left on the doorstep of a mosque in San Francisco. Many schools and colleges have been forced to close because of death threats, bomb threats and fears for the safety of students. Shops have been pillaged for racist reasons.

A few victims have died as a result of alleged hate crimes sparked by the 11 September attacks. An Egyptian-born shopkeeper, a Christian, was shot dead in Los Angeles. A Sikh petrol station owner was shot and killed in Arizona. A Pakistani man was killed in Dallas. A Yemeni-American was shot dead in Detroit. Other victims have sustained horrific injuries. A 20-year-old student, for example, was stabbed three times in Boston by assailants yelling anti-Arab abuse. A Sudanese refugee reportedly survived an attempted stabbing in an Atlanta street when another refugee came to his aid.

Hundreds of people have suffered death threats and racist intimidation. In Pennsylvania the chairman of the Islamic Supreme Council of America was threatened by motorists and then stopped by police because of his appearance. He was returning from a national memorial service for the victims of the 11 September attacks and had been advised by the FBI not to fly. A woman in Los Angeles was threatened with a gun in her face. An Arab-American shop-owner was pepper-sprayed. In Laramie, Wyoming, a woman and her children were chased from a supermarket by angry shoppers screaming at her to go back to her country. There have also

been several examples of local communities taking action to show their solidarity with their Muslim neighbours.

Racist attacks have not been restricted to the USA. In Canada, Mosques were attacked.

In Australia, a school bus carrying Muslim children in Brisbane was pelted with stones and bottles. Mosques were firebombed and at least one burned down. A Lebanese church was vandalized.

In India there are reports of informal talks at the level of the Home Ministry and the Law Ministry about the possible promulgation of an ordinance to deal with terrorist crimes. As the Parliament is presently not in session and the ordinance is considered by the government to be urgently needed, it would be promulgated by the President without prior discussion in Parliament. It is hoped that the new ordinance will contain sufficient guarantees regarding arrest, detention and fair trial and will be in line with international human rights standards.

An Islamic organization, the Student Islamic Movement of India (SIMI), was banned on 27 September and hundreds of its militants were arrested all over the country. It is unofficially reported that the organization was banned for its links with Pakistan's Inter Services Intelligence, but the grounds for the ban have not yet been made public. The arrests of SIMI activists were accompanied by violence in the city of Lucknow on the same day, where five people were killed by police during a riot.

Muslims and members of ethnic minorities suffered racist attacks in the UK, particularly in London, the Midlands and Scotland. An Afghan taxi driver in London was left paralysed from the neck down after being dragged from his taxi and beaten by three men. An Asian woman in Swindon was beaten with a baseball bat by two men. A 20-year-old Bangladeshi man's jaw was broken by a group of youths in Tyne and Wear. Mosques were vandalized in London, Manchester, Oldham, Southend, Glasgow and Belfast. The level of intimidation against Muslims led to the closure of three schools in London.

Racist attacks have been reported across much of the rest of Europe. In Poland, a mosque in Gdansk was stoned by youths on 14 September. In the Netherlands, mosques were being attacked daily, according to reports, and in Nijmegen an Islamic primary school was set on fire. Dutch police registered more than 20 attacks on Muslim targets in the 10 days after 11 September, with incidents ranging from arson and stone-throwing to threatening letters and racist graffiti. In Denmark, police arrested a man as he was about to throw petrol bombs at a mosque in Copenhagen, and a pizzeria owned by Kurdish immigrants was vandalized in the town of

Dragoer. In Ireland, a Muslim man at an Islamic centre in Dublin was beaten up, and a Muslim school in Clonskeagh was closed following a bomb scare.

In Hungary, the Minister of the Interior ordered that 800 recognized Afghan refugees and asylum-seekers, who were held in various detention centres for asylum-seekers, be transferred to a facility in Debrecen, where they are to be held isolated from all other foreigners. The Minister explained that this was to ensure the safety of the Afghan refugees. No official explanation has yet been given to the UNHCR.

In Italy, the Northern League has made blatantly anti-Muslim statements. Of particular concern was a statement made by Prime Minister Silvio Berlusconi during a visit to Germany on 26 September. He said: "We should be conscious of the superiority of our civilization, which consists of a value system that has given people widespread prosperity in those countries that embrace it, and guarantees respect for human rights and religion... This respect certainly does not exist in the Islamic countries". Amnesty International fears, that in the present climate, such statements may condone racist attacks.

## **Conclusion**

Amnesty International welcomes the statements made by intergovernmental organizations as well as many politicians in the USA, Europe and elsewhere to combat the racist backlash in the wake of the attacks in the USA. However, there is a danger that as the world's political leaders focus on combatting "terrorism" from abroad, a climate is engendered in which racism and xenophobia can flourish.

Amnesty International urges governments to take strong action against racist attacks directed at the Muslim, Asian and Middle Eastern populations in their countries. In a climate of fear and perceived external threat, it is essential that the authorities step up measures to ensure that people from all communities, whether citizens or not, are equally protected. Governments should continue to denounce racist violence and threats of violence, and make clear that such crimes of hate and discrimination will not be tolerated.

Governments must not use the "war on terrorism" to introduce draconian measures that limit civil liberties and allow violations of human rights. Such measures are likely to stifle dissent and curtail basic freedoms. For this reason, they must be resisted.

In reaching a balance between security and individual freedom, the internationally recognized safeguards to protect human rights must not be sacrificed. Even in the most extreme crisis, governments do not have a completely free hand. Amnesty International calls on all governments

to ensure that the human rights of all people are respected in their response to the 11 September attacks in the USA.

The human toll of this crisis must not fall on those who are the most vulnerable - refugees and asylum-seekers who are themselves fleeing repression and terror. Some governments are exploiting the climate of public fear to tighten up asylum laws and policies. All governments must ensure that the rights of asylum-seekers are protected, that all asylum-seekers have access to a fair and satisfactory asylum determination process, and that no one is returned to a country where they risk serious human rights abuses. The international community should insist that countries neighbouring Afghanistan open their borders, and should share the costs and responsibility for hosting Afghan refugees.

Amnesty International calls on the international community to hold to account all governments for human rights violations. It also urges the international community and media not to let the focus on the campaign against “terrorism” obscure other human rights crises or concerns around the world.