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### **Justice denied in Russia**

AI's membership launches a worldwide campaign for human rights in the Russian Federation calling for 'Justice for everybody'

The Russian Federation is in transition. Since 1991, profound changes have affected almost all aspects of life for the country's 144 million people. Economic restructuring has been accompanied by dramatic increases in the level of poverty, as well as widespread corruption. In the political sphere there has been a marked increase in freedom of expression and movement. There has also been a marked growth in nationalist and separatist movements, and the long-running conflict in Chechnya shows no sign of being resolved.

Although the human rights landscape has been transformed since the days of the gulag and the Stalinist purges, human rights violations are still widespread, and the victims have little chance of seeing the perpetrators brought to justice. This is why AI launched a major international campaign on human rights in the Russian Federation in late October.

Torture and ill-treatment are virtually routine in police stations. Conditions in the country's disease-ridden and overcrowded pre-trial detention centres are generally so appalling that they amount to cruel, inhuman or degrading treatment.

Anyone, even a child, who is taken into police custody for questioning is at risk of torture and ill-treatment. Such gross violations of human rights are widespread throughout the country. One reason why these abuses are so persistent is that those responsible usually escape punishment for their crimes.

People are at greatest risk of torture and ill-treatment in police custody during the hours immediately after arrest, before they are charged. Methods of torture commonly reported include beatings, electric shocks, rape, the use of gas masks to induce near-suffocation, and tying detainees in painful positions. The victims come from all walks of life, but members of ethnic minorities and the poor are most at risk.

Throughout the Russian Federation victims of human rights violations are being denied their right to justice by authorities who ignore or condone the abuses. The authorities have failed to take action to combat racially motivated violence and discriminatory policing. They have failed to take measures to protect women from sexual abuse and violence in the home. They have failed to ensure that children are only imprisoned as a measure of last resort. In Chechnya the Russian authorities have allowed a climate of impunity to emerge which protects and encourages human rights abusers.

Since 1994, Chechnya has suffered more than six years of armed conflict characterized by widespread human rights abuses. More than 300,000 people have been displaced by the fighting; many have fled to neighbouring Ingushetia. In May 2002 the Russian authorities signed a repatriation plan. Since then, AI has received credible reports that displaced Chechens in the tent camps of Ingushetia are being put under intense pressure to return home. Internally displaced people were also forcibly

relocated to the Chechen capital, Grozny, after two camps in Znamenskoye in northern Chechnya housing more than 2,000 people were closed on 7 July. The UN Emergency Relief Coordinator has stated that the relocation could not be regarded as “entirely voluntary”.

AI has urged the authorities to ensure that all people internally displaced by the conflict are given adequate protection and humanitarian assistance until they can return voluntarily, in safety and with dignity, to their place of origin or choice. The current situation in Chechnya does not provide the necessary conditions for the safe and durable return of internally displaced people. Reports continue of widespread attacks against civilians, rape and other forms of torture, “disappearances” and extrajudicial executions by Russian forces. The persistence of such violations is intimately linked to the failure of the Russian authorities to hold those responsible to account.

As part of the campaign, AI members around the world will call for the eradication of torture and ill-treatment; for an end to “disappearances” and attacks on civilians in Chechnya; for increased protection from abuse for women, children and members of ethnic minorities in custody; for greater awareness of domestic violence and measures to combat it; and for justice for the victims of human rights abuses. They will be urging the government to live up to its obligations to protect and promote human rights so that there is justice for everybody.

What you can do

Write to: Vladimir Putin, President of the Russian Federation, The Kremlin, Moscow, Russian Federation. Urge him to promote respect and protect human rights in the Russian Federation.

Write to the Ambassador or other diplomatic representative of the Russian Federation in your country, expressing AI’s concerns and asking them to forward these concerns to the relevant authorities in the Russian Federation.

Contact AI’s office in your country and join the campaign for human rights in the Russian Federation.

Visit the AI Russia campaign website at [www.amnesty.org/russia](http://www.amnesty.org/russia)

### **Town abandoned to its fate in Colombia**

Government ignores promises to protect the community of San Vicente del Caguán

President Andrés Pastrana ended the three-year long peace process with Colombia’s largest armed opposition group, the FARC, in February 2002 and ordered the military takeover of the FARC’s “safe haven”, the Demilitarized Zone (DMZ).

San Vicente del Caguán, department of Caquetá, was one of five municipalities which made up the DMZ. It served as the FARC “capital” in the DMZ and hosted the peace talks. After the breakdown of the talks, the main towns in the DMZ were seized by government forces in an operation which resulted in a number of civilian casualties and left armed groups still in control of large rural areas.

The government promised that San Vicente and the rest of the former DMZ would be protected from retaliation by armed groups and would be given more resources. Instead, San Vicente has been abandoned, both by the Colombian authorities, which

have failed to support the town economically and politically, and by the international community.

The civilian population has been stigmatized as “pro-guerrilla” because of its role as “hosts” to the FARC. The level of violence in the area has increased significantly, and the civilian population is being systematically targeted both by the security forces and their paramilitary allies and by the FARC.

The local office of the Human Rights Ombudsman recorded 17 political killings of civilians between 20 February and the end of September in the San Vicente area, but unofficial figures suggest the death toll is far higher. Civilians also face other abuses such as harassment, torture and threats. The true extent of the human rights crisis in the former DMZ is difficult to gauge since many violations take place behind a wall of silence.

AI is concerned that the breakdown of peace talks is exacerbating an already serious human rights crisis. It believes that some of the President's security policies, including the creation of a million-strong civilian network of informers and the application of a state of emergency, threaten to drag the civilian population further into the conflict and to strengthen existing mechanisms of impunity.

AI is calling on the Colombian government to ensure the safety and security of the population of San Vicente del Caguán. It should develop a comprehensive human rights policy that complies fully with Colombia's international obligations and the UN's human rights recommendations, including action to end impunity; to confront and dismantle army-backed paramilitaries; and to guarantee the safety of vulnerable sectors. AI is also calling on the FARC to abide by the principles of international humanitarian law, and on the international community to increase on-site monitoring in the former DMZ.

See: Colombia: San Vicente del Caguán after the breakdown of the peace talks – a community abandoned (AMR 23/098/2002). Take action: see: [www.amnesty.org](http://www.amnesty.org) for details of what you can do.

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### **An opportunity to help build a better future in Afghanistan**

Just over one year after the start of the US-led bombing campaign in Afghanistan, which led to the collapse of the Taleban government, the situation in the country is still very insecure.

The Transitional Authority, led by President Hamid Karzai, has little power outside Kabul. Crime and banditry, factional fighting, human rights abuses of women, and the continued campaign by US-led coalition forces have a negative impact on security. The promotion and protection of human rights must be at the heart of any program for rehabilitation and recovery in Afghanistan.

Human rights have been ignored for far too long. In over 23 years of armed conflict, abuses were widespread on all sides. Peace and security can never be ensured without respect for justice and the rule of law which protect human rights. Past and present human rights abuses must be addressed. Perpetrators must be brought to account in order to end the sense of impunity that has previously been allowed to continue unchecked.

AI has established a field presence in Kabul to focus on the reconstruction of the

criminal justice system, which will be critical in ensuring that human rights are an integral part of the recovery process. Prisons, policing, fair trials processes, and women's human rights will form important aspects of this work.

This field presence provides opportunities for AI to engage with the government and with local and international non-governmental organizations working in Afghanistan. It also provides a chance to offer solidarity and support to the local human rights community. AI's presence is being welcomed, particularly at a time when many in Afghanistan feel that the international community is turning away from the country, as other crises take precedence around the world.

This opportunity to invest in human rights in Afghanistan, and to ensure that human rights guarantees are at the centre of rehabilitation and reconstruction, should not be missed. AI will be producing blueprint documents offering recommendations to the Afghan authorities and donor governments, and undertaking lobbying and other membership campaigning work. If you would like to be involved in this work, please see: [www.amnesty.org](http://www.amnesty.org)

### **Iraq: Human rights in the balance**

The human rights situation in Iraq is being invoked with unusual frequency by some western political leaders to justify military action. This selective attention to human rights is nothing but a cold and calculated manipulation of the work of human rights activists. Let us not forget that these same governments turned a blind eye to AI's reports of widespread human rights violations in Iraq before the Gulf War. They remained silent when thousands of unarmed Kurdish civilians were killed in Halabja in 1988.

Not only have the people of Iraq continued to suffer at the hands of the government – systematic torture, extrajudicial execution, “disappearances”, arbitrary detention and unfair trial – they have also borne the brunt of the UN sanctions regime since 1990. Sanctions have jeopardized the right to food, health, education and, in many cases, life of hundreds of thousands of individuals, many of them children. There are claims that the Iraqi regime is deliberately manipulating the sanctions regime for propaganda purposes – but that does not absolve the UN Security Council from its own share of the responsibility for failing to heed the calls to lift all sanctions provisions that result in grave violations of the rights of the Iraqi population.

As the Security Council deliberates on the use of military force, it must consider not only the security and political consequences of its action, but also the inevitable human rights and humanitarian toll of war: civilians who will be killed by bombing or internal fighting, children who will die because sanctions will make access to basic necessities and humanitarian assistance even more difficult. Yet, concern for the life, safety and security of the Iraqi people is sorely missing from the debate, as is any discussion on what would be their fate in the aftermath of conflict – and even less, what will be the knock-on effect on the human rights of the people of neighbouring countries.

As the keeper of international peace and security, the UN Security Council has the responsibility under the UN Charter to seek a solution through peaceful means first. It must remind its most powerful member that force is the last resort and only to be carried out in full compliance with international law. It must ask if we have really reached that point of imminent danger which leaves no other choice. It must never

forget that the UN was created to preserve peace and promote human rights, not encourage war.

Irene Khan, AI Secretary General

### **Human rights violations in the UK after 11 September attacks**

Serious human rights violations have taken place as a consequence of the United Kingdom (UK) authorities' response to the 11 September 2001 attacks in the USA.

Foreign nationals — most, if not all, either asylum-seekers or recognized refugees in the UK — have been detained without charge or trial, for an unspecified and potentially unlimited period of time under the Anti-terrorism, Crime and Security Act 2001 (ATCSA), passed as a response to the 11 September attacks.

By mid-September 2002, 11 people had been detained without charge or trial after being certified as “suspected international terrorists” under the ATCSA. The certification is based on secret information, which has not been disclosed to the detainees and which cannot be effectively challenged by them or their lawyers.

At least 25 more people had been arrested under the Terrorism Act 2000, some of whom were released without charge. The UK authorities have also detained a number of individuals on extradition warrants received from other governments, including France and the USA.

Some of these detainees have been held in conditions amounting to cruel, inhuman or degrading treatment in high security prisons in the UK. Detainees have been subjected to “small-group isolation” and continue to be held in 22-hour-a-day lock-up. They have not received adequate health care. Such a regime can lead to a serious physical and mental deterioration.

Detainees have been denied prompt access to a lawyer and their contact with relatives and the outside world has also been severely impeded. Social visits with relatives are tape-recorded and a prison officer is present despite, in some instances, a glass screen separating the detainee from visitors.

Those detained under the ATCSA have also been denied the opportunity to challenge, in a fair procedure, decisions taken under the ATCSA which undermine their rights as refugees or as asylum-seekers.

The case of Algerian national Lotfi Raissi shows how, in the search for “suspected terrorists”, innocent people and their families can suffer. Lotfi Raissi was arrested and detained for five months in Belmarsh high security prison, after the US authorities sought his extradition for involvement in the 11 September attacks. Seven months later a judge ruled that there was no evidence to support the US claims. He believes he was held solely because he was an Algerian man and a Muslim, a pilot and a flight instructor in the USA.

Between seven and 13 UK nationals are held indefinitely without charge, trial or judicial review by US authorities in Guantánamo Bay, Cuba. They have been “visited” by UK officials, including intelligence officers, who have questioned them without a lawyer being present. They were not given prior access to legal counsel, and their legal status remains unclear.

The UK authorities have failed to make adequate representations to the US authorities

to ensure that the human rights of these UK nationals are respected. In particular, AI is concerned about the failure to hold the detainees in a manner consistent with the principles of international humanitarian and human rights law and standards.

See: United Kingdom: Rights Denied – the UK’s Response to 11 September 2001 (EUR 45/016/2002) and United Kingdom: AI’s Memorandum to the UK Government on Part 4 of the Anti-terrorism, Crime and Security Act 2001 (EUR 45/017/2002).

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## **WORLDWIDE APPEALS**

### **Ethiopia** Oromo detainee ‘disappears’

Ziad Hussein Abarusky and four others all belonging to the Oromo ethnic group were arrested in Dire Dawa, a city in eastern Ethiopia, in June and were held there incommunicado.

Ziad Hussein Abarusky has reportedly been severely tortured which has left him unable to walk. He has been refused medical attention.

Ziad Hussein Abarusky’s family have not been allowed to visit him but were allowed to take food to the prison. On 9 September, they were told not to bring him food any more as he was no longer there. The prison authorities refused to say where he was and to date the family still do not know.

Ziad Hussein Abarusky is a well-known former Ethiopian national football player, and an assistant coach of the national team (pictured) that participated in the Under-20s World Cup in Argentina in 2001. He is head coach of Babur football team in Dire Dawa.

These arrests followed a bomb attack at the Dire Dawa railway office building in June. There were no casualties but the bomb blast damaged one of the rooms in the building and a train compartment. The Oromo Liberation Front (OLF) claimed responsibility for the bomb. All the detainees are employees of the Ethiopia-Djibouti Railway at Dire Dawa.

The OLF has been fighting government forces in Oromia since it left the Ethiopian government coalition in 1992. Thousands of members of the Oromo ethnic group have been detained without charge or trial for several years on suspicion of involvement with the OLF. There are frequent reports of OLF suspects and anti-government demonstrators being ill-treated or tortured in custody. The case of Ziad Hussein Abarusky and his colleagues forms part of a pattern of detention without charge or trial of alleged opponents or critics of the government.

Please write, asking the authorities where Ziad Hussein Abarusky is being held. Call for him and his colleagues either to be charged with a recognizable criminal offence and brought to trial, or for them to be released immediately. Call for the allegations of torture to be investigated.

Send appeals to: His Excellency Meles Zenawi, Prime Minister, Prime Minister’s Office, P O Box 1031, Addis Ababa, Ethiopia. Fax: +251 1 552 020. (It may be difficult to get through to this number but please keep trying.)

### **USA** Another child offender faces the death penalty

Lawrence Jacobs is facing a retrial, in January 2003, for a crime he is accused of committing when he was 16. The prosecution is intending to seek a death sentence

against him. He was charged with murdering Nelson Beough and his 75-year-old mother, Della Beough, in 1996.

His 1998 conviction and death sentence were overturned by the Louisiana Supreme Court in 2001. This was on the grounds that Lawrence Jacobs had been denied his right to an impartial jury by the inclusion of jurors who displayed a strong predisposition to imposing death sentences. His appeal also claimed that the prosecution had acted in an apparently racist manner in dismissing several African American jurors during jury selection. Lawrence Jacobs is black. Both the murder victims were white.

International law prohibits the use of the death penalty against people who were under 18 at the time of the crime.

Please write, expressing concern that the District Attorney's Office intends to seek another death sentence against Lawrence Jacobs. While acknowledging the seriousness of the crime and the suffering it will have caused, point out that such a sentence would be in violation of international law which prohibits the use of the death penalty against people who were under 18 at the time of the crime.

Send appeals to: District Attorney Paul Connick, Jefferson Parish District Attorney's Office, 200 Derbigny Street, Gretna, Louisiana 70053, USA. Fax: +1 504 368 4562.

### **Belarus** Paying the price of opposition

“We did not abuse freedom of expression because it is impossible to abuse something that does not exist in Belarus.”

This statement was made in court by the journalist Pavel Mozheiko on 21 June 2002, three days before he and his editor, Nikolai Markevich, were sentenced to two and two-and-a-half year terms respectively of “restricted freedom”. The journalists were convicted of slandering the Belarusian President, Alyaksandr Lukashenka, in an unpublished article in the Grodno-based independent newspaper, Pagonia, in the run-up to presidential elections in September 2001.

The two men were convicted by Leninsky District Court in Grodno, on Belarus' western border with Poland. They were charged under Article 367 (2) of the Criminal Code for raising widely held concerns about the alleged involvement of President Lukashenka and his immediate circle of government appointees in the “disappearances” of several leading opposition figures in 1999. The conviction of the two journalists resulted in widespread international condemnation, even though their sentences were reduced by one year upon appeal in mid-August 2002.

Nikolai Markevich, aged 40, and Pavel Mozheiko, aged 23, have been transferred to living quarters in guarded barracks located in the far eastern Mogilov and Gomel regions of Belarus, hundreds of kilometres from home. The men will be subjected to forced labour for the duration of their sentences and have to return each evening to their barracks, where conditions are reportedly poor.

Nikolai Markevich and Pavel Mozheiko are not the only journalists persecuted for criticizing President Lukashenka during last year's presidential elections. On 16 September 2002 the editor of the independent newspaper Rabochy, Viktor Ivashkevich, was sentenced by a court in Minsk to a two-year term of “restricted freedom” after being convicted of slandering the President in a newspaper article in the pre-election period. The offending article, “A Thief Must Go To Prison”, accused the administration of corruption. Viktor Ivashkevich had not been transferred to a

place of work and detention by mid-October 2002, but it is expected that he will be moved far away from Minsk so that he cannot practise as a journalist.

AI considers all three journalists to be prisoners of conscience.

Please write, calling for their immediate and unconditional release to: President Alyaksandr Lukashenka, Ul. Karla Marksa 38, 220016 Minsk, Republic of Belarus.

Fax: +375 172 26 06 10

## **UPDATES**

### **Kuwait** Women granted pardon

Four women prisoners of conscience were granted a pardon by the Amir of Kuwait on 15 September. Ibtisam Berto Sulaiman al-Dakhil, Intisar Rasan Khallati, Zannuba 'Abd al-Khadr 'Ashur and Samira Juma, charged with collaboration with Iraqi forces, were convicted in unfair trials before the Martial Law and State Security Courts in 1991. Dozens of other political prisoners of Iraqi, Bidun and Palestinian origin, convicted after unfair trials following the withdrawal of Iraqi forces in 1991, continue to be held.

The four women, who are all under sentence of deportation, are expected to remain in detention until a suitable country can be found which is willing to offer them the right of domicile. One of the women was reported to have said that she was aware of the long-term efforts to secure their release made by AI members who have been working on their cases since 1993. Ibtisam Berto Sulaiman al-Dakhil and Intisar Rasan Khallati were the subjects of Worldwide Appeals in November 1996 and August 1998.

For further information see: Kuwait: Three years of unfair trials (MDE 17/001/1994)

### **China** First visit in four years

Prisoner of conscience Tohti Tunyaz, an ethnic Uighur from northwest China, has been allowed a visit from his son for the first time in four years.

"You've grown up a lot!" Tohti Tunyaz said to his son, who had travelled to northwest China from the family home in Japan to visit his father. Tohti Tunyaz was moved to tears seeing that his son had grown taller than himself.

Please continue to send appeals to the Chinese authorities, calling for his immediate and unconditional release. See Worldwide Appeal August 2002.

### **Malaysia** Prisoners of conscience still held despite winning appeal

Six government critics arrested in April 2001 under the Internal Security Act continue to be held without charge or trial despite a Federal Court ruling, relating to some of them, that their initial 60-day detention was unlawful. Saari Sungib, Tian Chua, Hishamuddin Rais, and Mohamad Ezam Mohd Nor, now imprisoned for two years under the Official Secrets Act, were told they would need to file separate habeas corpus applications against the subsequent two-year detention orders handed down by the Minister of Home Affairs.

Lokman Nor Adam and Badrul Amin Bahron were not included in the court ruling, and are still detained.

Please continue to send appeals for their immediate and unconditional release, to: Minister of Home Affairs, Dato Abdullah Haji Ahmad Badawi, Ministry of Home Affairs (Menteri Dalam Negeri), Aras 13, Blok D1, Parcel D, Pusat Pentadbiran

Kerajaan Persekutuan 65202 Putrajaya, Selangor, Malaysia. Fax: +60 3 8886 8014.

See Worldwide Appeal, April 2002.

### **Small arms proliferation leads to big crimes**

AI welcomes the establishment of a UN Special Rapporteur on small arms, and the appointment of Barbara Frey to this post. She has the task of preparing a comprehensive study on the prevention of human rights violations committed with small arms and light weapons. The decision was made at the 54th session of the Sub-Commission on the Promotion and Protection of Human Rights in August after she presented a path-breaking working paper on the subject. AI members, in particular the Military, Security and Police network, have been lobbying for this since 2001.

At the Small Arms and the Humanitarian Community NGOs conference in Nairobi, Kenya, in November 2001, AI called on the 70 international NGOs present to campaign for a global review of all states' use of small arms in terms of international law and standards and the creation of a UN Rapporteur on small arms by 2004.

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### **End the death penalty worldwide**

*'The forfeiture of life is too absolute, too irreversible, for one human being to inflict it on another, even when backed by legal process. And I believe that future generations, throughout the world, will come to agree. It is tragic that, while the nations debate this problem, people continue to be executed.'* UN Secretary-General Kofi Annan, 2000.

Recent developments show that the world is moving ever closer to universal abolition of the death penalty, although some countries continue to execute prisoners.

The Turkish parliament adopted a law abolishing the death penalty except in time of "war or imminent threat of war" on 3 August.

No one had been executed since 1984, but the courts had continued to pass death sentences. At the end of 2001 there were 117 prisoners whose death sentences had been upheld by the Appeal Court and who could be executed if approved by parliament. At least 36 further death sentences were passed in the first half of 2002. On 3 September 2002, 87 death penalty cases were sent for review under the new law. On 3 October, Ankara State Security Court commuted the death sentence passed on Abdullah Öcalan to life imprisonment.

The European Union (EU) set out abolition of the death penalty in Turkey as a condition for starting negotiations to join the EU.

Turkey is the third country to have abolished the death penalty this year, after Cyprus (April) and the Federal Republic of Yugoslavia (June) abolished it for all crimes.

China continues to execute the highest number of people in the world. Scores of executions across China have taken place since the government's call for an intensification of the anti-crime campaign in July. See: China: "Strike Hard" anti-crime campaign intensifies (ASA 17/029/2002) and China: Death Penalty Log (ASA 17/031/2002).

The Council of Europe condemned the execution of Yoshiteru Hamada and Tatsuya Haruta in Japan on 18 September. Executions took place while media attention was

focused on an historic meeting between Japan and North Korea. AI fears that more executions of the 54 people currently on death row are imminent.

The last executions in Barbados and Belize were in the mid-1980s but proposed constitutional amendments could lead to executions being resumed. Moves are under way in both countries to restrict appeals by prisoners under sentence of death.

In Pakistan, Zafran Bibi, who had been sentenced to death by stoning after she was raped and gave birth to a child, was finally acquitted of adultery. In 2000 Zafran Bibi told the police that she had been raped while her husband was in prison: instead of being treated as a victim she was charged with adultery and sentenced to death. She was acquitted by the Federal Sharia Court in Islamabad on 6 June 2002.

### **Pope calls for Guatemala to abolish death penalty**

Before he visited Guatemala in July, Pope John Paul II sent a message to President Alfonso Portillo asking him to consider abolishing capital punishment. Surprisingly, President Portillo responded by announcing his personal opposition to the death penalty, and stating that he would try to ensure that no further death sentences were carried out during his term of office. He also promised to send legislation to Congress calling for the death penalty to be abolished.

The promised legislation is now before Congress for consideration but opposition in the country is strong. Two people have been sentenced to death since July. Legislators and the public need to be convinced that it is not an appropriate nor effective response to the grave social problems the country faces.

The death penalty is rarely carried out in Guatemala, but the range of crimes for which it can be used has increased alarmingly over recent years. It can now be applied for kidnapping, and can be imposed on accomplices. However, statistics show that kidnappings have risen significantly since this was decreed by Congress.

AI believes that the death penalty violates human rights and has never been shown to deter crime more effectively than other punishments. It is time to open the debate and convince the Guatemalan people to join the growing international trend towards abolition. See Guatemala: In the wake of the Pope's visit – a window of opportunity to abolish the death penalty? (AMR 34/054/2002).

To join the debate, write to: President of Congress, General Efraín Ríos Montt, 9<sup>a</sup> Avenida 9-44, Zona 1, Ciudad de Guatemala, Guatemala. Fax: +502 220 4024.

### **USA executes child offenders**

“We value every life”, President George W. Bush, Address to the Nation, 11 September 2002.

In June the US Supreme Court ruled that the execution of offenders with mental retardation was unconstitutional, finding it a “cruel and unusual” punishment prohibited by the Eighth Amendment of the US Constitution. However, the USA continues to execute child offenders — those who were under 18 at the time of the crime. There have been three executions of child offenders this year, two of them in August.

The immaturity of teenagers is widely recognized in US laws. Under-18s cannot serve on a jury, yet can be condemned by those considered responsible enough to sit on one. In Louisiana, under-18s are prohibited from witnessing an execution, yet seven people currently await execution there for crimes committed when they were 16 or 17.

The US Supreme Court found that the traits of people with mental retardation render the supposed goals of deterrence and retribution unachievable. Characteristics of children, such as impulsiveness, poor judgment, and susceptibility to peer pressure or adult influence, surely lead to the same conclusion. Indeed, scientific evidence indicates that brain development continues into a person's 20s.

The Supreme Court acknowledged that "within the world community" the execution of the mentally retarded is "overwhelmingly disapproved". The disapproval is even clearer in the case of child offenders. Such executions are prohibited by international human rights treaties and have been deplored by the UN Commission on Human Rights.

Since January 1993, Amnesty International has documented 24 executions of child offenders worldwide — 16 of them were in the USA. The USA continues to defy the UN and flout international law in its pursuit of the death penalty against children.

For further information see USA: Indecent and internationally illegal. The death penalty against child offenders (AMR 51/143/2002).

**Amina Lawal**, who lives in a small village in northern Nigeria, married in her early teens and was subsequently divorced by her husband. She has had a baby outside marriage and has been sentenced for adultery to be buried up to the waist and stoned to death. A court in Katsina State has decreed that she can live until her baby girl, Wasila, is weaned.

The man named as the father of the child reportedly denied having sex with her and the charges against him were dropped. Amina Lawal had no legal representation during the first two hearings of the trial but subsequently filed an appeal with help from a lawyer hired by a Nigerian women's rights group.

At least four other people have been sentenced to death by stoning by so-called Sharia Courts in northern Nigeria. The new Sharia Penal Codes and the Sharia Codes of Criminal Procedure violate international human rights treaties ratified by Nigeria.

Amina Lawal's case has received wide publicity: several Miss World contestants (including those from France and South Africa) have said they will boycott the contest, which was due to be held in Nigeria, in protest at the trial and sentencing of Amina Lawal.

Add your voice to the appeals on behalf Amina Lawal. See AI's website:

[www.amnesty.org](http://www.amnesty.org)

### **88 sentenced to death in Sudan**

Eighty-eight people including two 14-year-old children, were condemned to death by a "special court" in Nyala, Sudan, on 17 July. "Special courts", set up as part of the 1998 State of Emergency Act, fall far short of international fair trial standards. During the trial the defendants did not receive proper legal representation and some had reportedly been tortured. At least 19 men have been executed this year following trials by similar "special courts". For further information on what you can do, see AI's website: [www.amnesty.org](http://www.amnesty.org)

### **International law**

Thirty-five member states of the Council of Europe have signed Protocol No. 13 to

the European Convention on Human Rights since it opened for signature on 3 May. This new Protocol is the first regional treaty to abolish the death penalty in all circumstances without exception. The Protocol will enter into force three months after 10 states have ratified it. Three states had ratified the Protocol at the time the Wire went to press.

Protocol No. 13 is the fourth regional treaty on the abolition of the death penalty. Protocol No. 6 to the European Convention on Human Rights provides for abolition in peacetime. The Second Optional Protocol to the International Covenant on Civil and Political Rights and the Protocol to the American Convention on Human Rights to Abolish the Death Penalty provide for total abolition but allow states to retain the death penalty in wartime.

### **Philippines suspends executions**

Philippine President Gloria Arroyo has suspended the execution of all death row prisoners while Congress is debating a proposed law abolishing the death penalty. More than 1,000 prisoners are on death row in the Philippines, including 29 women.

In August AI had urged the President to declare a moratorium on all executions, stressing that the death penalty achieves nothing but revenge.

### **Picture captions:**

#### **Iran**

An unidentified youth cries as people watch the public hanging of men in Tehran, Iran. Five men were publicly hanged on 29 September, sentenced to death in connection with allegations of rape, abduction and robbery. One of those hanged, Amir Karbala'i, reportedly said prior to his execution, "It was not the judge who sentenced us to death but public opinion." According to Iranian newspapers, the executions reflected the wish of judicial officials to show that they took seriously the public's anxiety over security.

#### **Canary Islands**

AI groups in the Canary Islands organized an aquatic vigil on a beach in Las Palmas, supported by dozens of swimmers and surfers under the slogan "Everyone Against The Death Penalty".

The vigil celebrated the decision by the local council to declare Las Palmas a "city against the death penalty".

### **World Coalition against the Death Penalty**

The World Coalition against the Death Penalty was founded in May 2002 to work for the universal abolition of capital punishment. Its members include international organizations such as AI and national human rights organizations. Membership is also open to bar associations, trade unions and local authorities. The UN High Commissioner for Human Rights, Mary Robinson, said the launch of the Coalition renewed hope that universal abolition was "now within reach".