

The Wire

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Brazilian Indians betrayed by government inaction

“We heard it said that the police are coming with a tractor to destroy everything. We would like to know who is going to feed our children... We would like to let the police know we are not leaving... We are not leaving the land alive.”

Threatened with eviction from their ancestral home, members of one group of the Guarani-Kaiowá indigenous community in Mato Grosso do Sul state, south-west Brazil (*see map, p.2*), issued the above statement in January. The land had already been reserved in their favour by the government in October 2004, but three months later, a regional court ordered the community's eviction from it. The case prompted a national and international outcry. On 29 March, the day before AI launched a report on the situation of Indians in Brazil, Brazil's President officially “ratified” the land as belonging to them. Without such pressure, however, the result could have been very different.

Brazil's indigenous communities continue to suffer violent attacks, killings and discrimination in the face of government reluctance to fully protect their rights. The authorities' lack of commitment to efficiently and conclusively define and cede indigenous lands by law has left Indian communities vulnerable to attacks from other interests competing for their land.

In January 2004, protesters, apparently coordinated by local landowners, invaded a Catholic mission in Raposa Serra do Sol in Roraima state. Following a government announcement that indigenous land claims to the area would soon receive presidential approval, the protesters held missionaries hostage, blocked roads and threatened further attacks against indigenous communities. But the handover of land was postponed and in November 2004, an armed group attacked three indigenous communities in the same area, destroying 23 homes. President Lula finally approved recognition of the area as an indigenous territory in April 2005.

With no coherent strategy to resolve the issues faced by Brazil's indigenous communities, the government is just exacerbating the errors of the past. The National Indian Foundation (FUNAI), the government body charged with protecting indigenous interests and overseeing land transfers, is hampered by corruption and a lack of resources. The Brazilian government itself has criticized FUNAI for its “lapses in the exercise of its functions” and has stated that reforming and restructuring FUNAI would be made a priority. But in 2004, it cut FUNAI's budget by eight per cent.

The land transfer process, when it does take place, can take years – even decades to complete. Not only are there structural and political delays associated with FUNAI, but there are also difficulties associated with settling compensation payments for those who have acquired indigenous land in good faith. The Brazilian Constitution does not allow for compensation for the value of the land itself - only material or physical benefits to it. This often leads to severe resistance by landowners to proposed land transfers.

The situation is made worse by the fact that the government recently appointed the Chamber of Foreign Relations and National Defence (CREDEN) to oversee the creation of proposals for a “new indigenous policy”. Among other areas of policy development, CREDEN is

responsible for tackling drug trafficking and international crime, international defence and immigration.

"[T]he government has adopted the most perverse form of differentiated treatment," a prominent indigenous leader told AI in January. "[W]e are being treated like foreigners in our own country, and even as a threat to sovereignty. With this the hope of seeing our territories demarcated and ratified... has been substituted by fear."

See *Brazil - "Foreigners in our own country": Indigenous peoples in Brazil* (AMR 19/002/2005) and <http://news.amnesty.org/pages/BRAZIL>

[box]

ACT NOW!

Send postcards to President Lula calling on him to combat impunity for attacks on indigenous leaders and to resolve Indian land claims.

If you would like to help distribute pre-addressed postcards featuring the picture on the front page, please contact the Brazil Team, for a minimum of 25 cards only, at AI's International Secretariat (see back page for address) or by email at pesquisa@amnesty.org.

UN resolution to end impunity in Darfur

"The Janjawid entered the school and caught some girls and raped them in the classrooms. I was raped by four men inside the school. When they left they told us they would take care of all of us black people and clean Darfur for good."

Testimony of a schoolgirl in Tawila, Darfur, western Sudan, February 2004

Justice may finally be a reality for nearly two million civilians forced to flee their homes and thousands who have been raped, tortured and have "disappeared" in the conflict in Darfur, western Sudan. However, impunity for abuses committed in relation to the wider 21-year north-south conflict in Sudan has still not been addressed.

The UN Security Council passed three resolutions in March which could play an important part in ending impunity and helping to strengthen human rights in Sudan. One historic resolution – the first time such a measure has ever been passed by the Security Council – calls for those suspected of war crimes and crimes against humanity to be referred to the Prosecutor of the International Criminal Court (ICC). The other two resolutions establish a UN Mission in Sudan (UNMIS) and strengthen the arms embargo.

Two decades of war between north and south Sudan ended with the signing of the Comprehensive Peace Agreement in January. But it took a further two months for the UN Security Council to react to the report by the International Commission of Inquiry into crimes committed in Darfur, western Sudan. In order to secure agreement from the USA, an exemption from the jurisdiction of the ICC was made for nationals from states, outside Sudan, that are not party to the Rome Statute of the ICC. This creates unacceptable double standards of justice and contravenes international law.

The mandate of the UNMIS calls for promotion of the rule of law, restructuring of the police and protection of human rights – in both north and south Sudan. UNMIS must also draw up a "comprehensive and coordinated strategy with the aim of combating impunity" – but nothing is said about reparations for the victims.

Another important task of UNMIS is to coordinate the protection of civilians and to facilitate the return of refugees and internally displaced people. At the moment most returnees are left

to struggle with difficult journeys, landmines, lack of security and access to food – sometimes to find others settled on their land.

The welcome strengthening of the arms embargo which is now extended to ban arms to government forces in Darfur must be followed closely to ensure effective implementation.

The long negotiations, which included pressure from AI and other non-governmental organizations (NGOs), have resulted in strengthened resolutions for human rights. It is now important that these positive provisions for the protection of human rights are implemented. The test is not the present but the future.

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Domestic workers face multiple abuses in Gulf states

Stripped of their rights and denied adequate legal recourse, women domestic workers in many Gulf states are often discriminated against, exploited, even abandoned in their host countries

“I confessed before the police because I was afraid,” said Mary Ann K. Speaking to AI in July 2004 she explained how she had been detained in Kuwait after her employer saw her talking to a male friend and handed her to the police. “They were yelling at me, and slapped me on the face,” she said. “I didn’t have a lawyer during the interrogations.”

Mary Ann’s story is an all too familiar one. Women domestic workers in Gulf Cooperation Council (GCC) countries – Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates (UAE) – face discrimination, arbitrary detention and abuse from the authorities in their host countries as well as from their employers. Yet they make a valuable contribution to the countries where they work, taking jobs that nationals of those countries would not normally want.

Women migrants account for about 20 to 40 per cent of the growing migrant workforce in the various GCC states. They come primarily from South and Southeast Asia, as well as other countries, to earn enough money to support their families back home. But the benefits they receive from such employment can come at a heavy price.

In all GCC countries, women domestic workers are deprived of a wide range of their fundamental human rights. They have no protection under labour laws as domestic work is not covered by such legislation. Often, their identity documents are confiscated by their employers and their pay is delayed or withheld. They also face the possibility of rape and other forms of violence by their employers.

Once detained, these women find they have no access to translators or lawyers, and have little or no idea of why they have been detained and when they might be released or returned home.

“I have been working in Qatar for my Lebanese employer family for two years and two months, but have not been paid a penny,” said Kampen Btkawar, a domestic worker from Indonesia. Speaking to AI in July 2004, she explained how she was imprisoned after telling her employer that she would complain about her pay situation to the police. “I was detained in al-’Asima police station in Doha for three days before they brought me to prison,” she said. “I have been to court six times. I have no lawyer and don’t know what is happening.”

To date, no GCC country has signed up to international laws that deal specifically with the situation of migrant workers. However, Bahrain, Kuwait, Saudi Arabia and the UAE have signed up to the UN Convention on the Elimination of All Forms of Discrimination against Women, which calls on state parties to condemn discrimination against women in all its forms and take appropriate measures to eliminate it.

In February, the Saudi Arabian Ministry of Labour acknowledged that migrant workers are subjected to abuse by employers and said that it has banned more than 1,000 people from employing migrant workers.

It also announced plans to create a labour protection administration for migrant workers. But whether such measures will cover the rights of women migrant domestic workers remains unclear.

For more information on violence and discrimination against women in the GCC see *The GCC: All women deserve respect and dignity* (MDE 04/004/2005). This report and a conference in Bahrain organized by AI in January (see *the Wire* March 2005) are part of a project to combat violence and discrimination against women in GCC states, funded by the Rausing Trust. See also this issue, *Worldwide Appeals*, p.3.

Peace Community under attack from both sides in Colombia

Eight more members of the Peace Community of San José de Apartadó, Antioquia Department, were killed on 21 February. There have been more than 150 killings and “disappearances” of community members in the last eight years.

An eyewitness said that the perpetrators of the latest massacre identified themselves as members of the Colombian army. According to other witnesses, soldiers told local inhabitants that if the killings had not become public knowledge, they would have killed more civilians and that the eight victims were “dead guerrillas”.

Government deny army involvement

The Minister of Defence denied any army involvement in the massacre despite military operations being carried out in the area at the time. President Álvaro Uribe recently accused some members of the community of collaboration with the guerrilla group, Revolutionary Armed Forces of Colombia (FARC), placing them at further risk of attacks by the army-backed paramilitaries.

The Peace Community insist on their right not to be drawn into the hostilities between the government and the FARC. As a result they are attacked by both sides who accuse them of collaborating with their enemies.

AI is calling for a full and impartial investigation by the civilian justice system into the latest killings. AI is concerned that other members of the community remain at risk.

For further information see *the Wire* February 2002 and *Colombia: Justice is the only way forward for the Peace Community of San José de Apartadó* (AMR 23/004/2005).

UN Secretary-General proposes bold steps to strengthen human rights

‘The notion of larger freedom also encapsulates the idea that development, security and human rights go hand in hand.’

Kofi Annan, March 2005

UN Secretary-General Kofi Annan is proposing radical steps to strengthen human rights as part of his proposals for urgently needed reform of the UN. In his report, *In larger freedom: towards development, security and human rights for all*, published on 21 March, the Secretary-General sets out a wide range of proposals to be discussed by heads of state at the high-level Millennium +5 Summit in September.

Declining credibility

The Secretary-General observed that the authority of the Commission on Human Rights, the UN's main human rights body, has been increasingly undermined by declining credibility and professionalism which "casts a shadow on the reputation of the UN system as a whole". Some states have become members of the Commission to protect themselves against criticism or to criticize others rather than to strengthen human rights. In its place, he proposed the establishment of a smaller but more authoritative Human Rights Council. The proposed council would sit in sessions throughout the year and thus be able to better address crisis situations as they arise.

The Commission, currently comprising 53 member states, is responsible for investigating violations of human rights, recommending new human rights standards, providing advisory and technical services to countries needing such assistance and proposing new human rights programmes and policies.

AI welcomes the proposal for a more transparent new body, but stresses that it must build on the strengths of the current system, in particular, by maintaining the system of independent human rights experts, the unique involvement of NGOs in the activities of the current Commission, and the mandate to take effective action in countries where serious human rights violations occur.

AI considers that members of the proposed Human Rights Council should pledge their commitment to the protection and promotion of human rights which would then be subject to peer review. There should be transparent and objective assessment of human rights in all countries, taking full account of analysis by the UN's human rights experts and treaty bodies. Regular reviews must be undertaken to ensure the highest degree of government accountability.

A unique opportunity

The current proposals for UN reform offer a unique opportunity to create an effective UN human rights machinery consistent with the promise of the UN Charter where peace and justice prevail and all people can enjoy their human rights and fundamental freedoms without discrimination. Governments must not be allowed to miss it.

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Iraq – ‘Disappearances’ in Kurdistan

Five years ago this month, Karim Ahmad Mahmood, aged 71 at the time, his three sons Arslan, Asu and Makwan, and another man, Othman Ahmad Hussain, were arrested by Dezgay Zanyari, the intelligence and security service of the Patriotic Union of Kurdistan (PUK) in Sulaimaniya, northern Iraq. They have not been seen since.

When Karim Ahmad Mahmood's family tried to find out what had happened to the men, they were told to stop seeking information. In September 2001, the Minister of Human Rights in the area controlled by the PUK told AI that extensive inquiries were being made to establish the fate of the five men. However, no further information has been provided. In December 2004, AI wrote to the PUK leader and recently elected President of Iraq, Jalal Talabani, requesting clarification of the fate of the five men but so far no response has been received.

Fighting between the PUK, the Kurdistan Democratic Party (KDP) and the Islamic Movement of Iraqi Kurdistan, in the mid-1990s, resulted in serious human rights abuses by all sides. However, no investigations into past human rights abuses have been carried out. Today, the two Kurdish parties, KDP and PUK, continue to control specific areas in northern Iraq. Following his inaugural speech as President in April, Jalal Talabani called for human rights to be respected.

Please write, calling for the "disappearances" of the five men to be investigated as a matter of urgency and for their families to be kept informed of any progress. If the men are detained, call for their immediate release if they are not charged with a recognizably criminal offence and given a prompt fair trial.

Send appeals to: Mr Jalal Talabani, President, Republic of Iraq, Convention Centre (Qasr al-Ma'aridh), Baghdad, Iraq.

Please copy appeals to the Iraqi embassy in your country.

Mexico – Environmental activist imprisoned

Felipe Arreaga, a prisoner of conscience and activist, is facing an unfair trial for a murder committed in 1998.

Felipe Arreaga is a leading member of the Organización Ecológica de la Sierra de Petatlán (OCESP), which has campaigned peacefully against deforestation due to illegal logging operations run by local *caciques* (political leaders), who reportedly have links with officials in the State of Guerrero.

He was arrested in Petatlán, Guerrero State, in November 2004. AI believes charges against him are politically motivated to deter the work of environmentalists, including that of his wife who leads the women's environmental organization, Organización de Mujeres Ecologistas. In relation to the same case, arrest warrants were issued, but not yet enforced, against 14 other members of OCESP.

There are many irregularities in the case against Felipe Arreaga. He is accused of murdering the son of a local *cacique* in 1998, but he produced three witnesses to back claims that he was receiving medical treatment in another state at the time. A key prosecution witness testified in court that he had been coerced by a *cacique* and a judicial police officer into implicating Felipe Arreaga and others in the murder.

Investigations into the murder – witness statements and forensic examinations – were not conducted until 2000. One of the accused, identified by the two prosecution witnesses, had died in 1996. Another was a child at the time of the murder.

Despite the weakness of the evidence against him, Felipe Arreaga will remain in custody during a trial which may last more than a year and which could result in conviction for a crime he did not commit.

Please write to the recently elected governor of Guerrero State, who has promised to ensure that there are no prisoners of conscience in the State, calling for the immediate and unconditional release of Felipe Arreaga, and for his safety and that of his family to be guaranteed. Call for the arrest warrants against the 14 other former members of OCESP to be suspended and for there to be an impartial and thorough investigation of the original murder in 1998.

Send appeals to: Governor of the State of Guerrero, Zeferino Torreblanca Galindo, Palacio de Gobierno, segundo piso, Plaza Central, Primer Congreso de Anahuac, Colonia Centro, Chilpancingo 39000, Guerrero, Mexico.
Fax: + 52 747 47 23125

Qatar – Woman forcibly confined to family home

Hamda Fahad Jassem Ali Al-Thani, a member of Qatar's ruling family, is being forcibly held at her family's home in the capital, Doha. Her father's disapproval of her choice of husband reportedly led to her being detained by members of the security forces and later confined to the family home.

Hamda Al-Thani married Sayed Mohammed Sayed Saleh, an Egyptian national, in Egypt on 5 November 2002. Nine days later, she was allegedly drugged and abducted by members of the Qatari security forces, who took her back to Qatar. She was detained in secret for five months until April 2003, and then transferred to the state's Special Security Directorate in Doha, where she remained until November 2003. The security forces then handed her over to the custody of her family, who have held her against her will at their home since then. She is apparently confined to one room and has no access to lawyers or doctors. She is not allowed to receive visitors or to leave the house. Her family has reportedly beaten her on several occasions.

AI brought Hamda Al-Thani's case to the attention of the Qatari authorities in September 2004 and in February 2005, but has received no response to date. AI is concerned about the conduct of the Qatari security forces in detaining Hamda al-Thani and about their complicity in the violence apparently perpetrated by her family against her. The organization is also concerned that the authorities have failed to act to rectify the situation after the case has been brought to their attention.

For more information, see *The GCC: All women deserve respect and dignity* (MDE 04/004/2005) and this issue p.2.

Please write, calling for an immediate end to Hamda Al-Thani's forcible confinement and ill-treatment by her family, and an investigation into reports that the Qatari security forces were responsible for her abduction and detention.

Send appeals to: His Highness Shaikh Hamad bin Khalifa Al-Thani, Amir of the State of Qatar, PO Box 923, Doha, Qatar. Fax + 974 436 12 12

Greece – Conscientious objectors in danger of arrest

'I refuse on grounds of conscience to participate in or contribute by any means to the relentless massacre of the Iraqi people...' Giorgos Monastiriotis

Giorgos Monastiriotis (right) and Lazaros Petromelidis (left) have been repeatedly sentenced by military courts for their conscientious objection to military service and are in danger of arrest and imprisonment.

Giorgos Monastiriotis resigned from the Greek Navy on grounds of conscience when his unit was sent to the Gulf in May 2003. He had joined the navy on a five-year contract and is the first professional soldier known to have refused to participate in the war in Iraq. Imprisoned in September 2004, he was given a second prison sentence for “desertion” in January 2005.

Lazaros Petromelidis first refused military service on grounds of conscience in 1992. The extremely punitive alternative service he was offered was seven and a half times longer than his military service would have been. Since then he has regularly received call-up papers and has repeatedly been charged with insubordination because of his refusal to serve in the military.

Every time both men refuse to serve in the army a new prosecution is brought against them. This violates the International Covenant on Civil and Political Rights which states that: “No one can be tried or punished for an offence for which he has been finally convicted or acquitted...”

Please write, calling on the authorities to stop immediately the prosecutions against Giorgos Monastiriotis and Lazaros Petromelidis and all other conscientious objectors in Greece. Call for the provision of alternative civilian service to be brought into line with internationally recognized human rights standards and recommendations.

Send appeals to: Spilios Spiliotopoulos, Minister of Defence, Ministry of National Defence, 151 Mesogeion Street, Chologos, PO Box 15 500, Athens, Greece. Fax +30 210 644 3832. To sign AI's petition for the rights of conscientious objectors in Greece go to: <http://www.amnesty.org.gr/actnow/gre20050331.htm>

Updates

Yemen releases editor

Abdul Karim al Khaiwani, editor-in-chief of the al-Shura newspaper, was released on 23 March following a presidential pardon.

Two days earlier his one-year prison sentence and the six-month closure of his newspaper had been upheld on appeal. His lawyers had been forcibly removed from the court at an earlier appeal hearing, following a disagreement with the judge. Others attending the trial were beaten by security forces when they tried to leave the court in protest at the lawyers' treatment.

AI is concerned that the authorities in Yemen continue to impose punitive measures against journalists including arrest, imprisonment and fines for exercising their right to freedom of expression.

Death penalty in 2004

More than 3,797 people were executed in 25 countries and at least 7,395 were sentenced to death in 64 countries during 2004. However, AI believes that this is only the tip of the iceberg and that the true figures are much higher.

Releasing its annual worldwide statistics, AI called on the UN Commission on Human Rights to condemn the death penalty as a violation of fundamental human rights.

A small number of countries carried out most of the executions. Although China is known to have executed at least 3,400 people, sources inside the country have estimated the total to be near 10,000. Iran executed at least 159 people, and Viet Nam at least 64. There were 59 executions in the USA, down from 65 in 2003.

While executions continued, progress was made towards abolition of capital punishment. Five countries abolished it for all crimes in 2004: Bhutan, Greece, Samoa, Senegal and Turkey. By the end of the year, 120 countries had abolished the death penalty in law or practice.

Several countries observed moratoriums on executions while retaining the death penalty in law. A law on “the suspension of the application of the death penalty” was signed into force in Tajikistan. Other countries with moratoriums on executions included Malawi and South Korea.

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Zimbabwean activist vows to fight on

“Just people cannot follow unjust laws,” says Jenni Williams, speaking to the Wire in April. As one of the leaders of the human rights activist group, Women of Zimbabwe Arise (WOZA), she has been arrested or detained by police in Zimbabwe at least 15 times in the last two years. To her, and other WOZA activists, the arrests are a symbol – a potent reminder that exercising one’s fundamental rights in Zimbabwe can carry serious risk.

Only a month ago, hundreds of WOZA women were arrested in Africa Unity Square, Harare, at a post-election prayer gathering on 31 March. Within 30 minutes of their arrival, they were surrounded by police. “They started intimidating and provoking us,” recalls Jenni. The police crammed 150 women into open-topped vehicles, beating them as they did so, then took them to the station where they beat them again as they got out.

The arrests carried on throughout the evening as police rounded up any “suspect” woman, including a 74-year-old grandmother in a waiting room at a local railway station. “They made them lie down on their stomachs and they walked all over them,” says Jenni. “One woman is still in hospital with a fractured skull.” By the end of the evening, some 300 women were held in an open area, many with babies.

The women were released the following day after being forced to pay “admission of guilt” fines for alleged road traffic offences – but not without protest. “We were all against a wall and... we were chanting, ‘No, we won’t pay fines,’” says Jenni. “Our chants resounded across the police station, making it harder for them [the police]. And they said, ‘We will just crush you... you will all be just blood and guts against that wall.’”

Since its founding in 2003, WOZA activists have struggled against the Public Order and Security Act – the repressive law used to deny people’s right to assemble in public – by taking to the streets and demonstrating through dance, prayer or song.

Their action has percolated across the country, inspiring others to “go out into the streets and express their rights”. They have also visited urban and rural areas, teaching women how to agitate for their rights. For the March prayer gathering, WOZA mobilized over 2,000 women – “volunteers”, Jenni reminds us, “for arrest and possible beating”.

But none of this would be possible, she says, without international support. “I am alive today because the international community, through Amnesty International, through the media, have heard about our work,” she says. “Amnesty... helped us to amplify our voice and they gave us incredible protection. When we’re there in the police cells and we know that someone has got the message saying we’re arrested, we know that something is happening.”

The individual support lent by AI members has also proved an emotional bedrock. “One thing that has been a major source of inspiration for us all has been the deluge of Christmas cards and letters... Really, we must thank all the members of Amnesty International for that wonderful moral support.”

WOZA’s strength is revealed by the brutality with which the police have tried to stifle it, most recently illustrated by the March arrests. But those attempts are destined to fail in the face of WOZA’s determination. “We seem to be the only people bravely standing in the street, owning the street, commanding it,” says Jenni. “And so they [the police] felt they had to trample upon us much harder... But we have a slogan: ‘Strike a woman and you strike a rock.’ We are not going to be deterred.”

China releases prisoner of conscience after five years

“We are beyond happy. We have waited for this moment for five and a half years and want to thank everyone who worked toward this joyful day.” Rebiya Kadeer’s daughter, Akida Rouzi, on her mother’s release

Rebiya Kadeer, 58-year-old mother of 11, has been reunited with her family in the USA. A champion of the rights of the Uighur ethnic group, she spent more than five years in jail in China’s Xinjiang Uighur Autonomous Region (XUAR).

Her release coincided with the US announcement that it would not seek a resolution on China at the current session of the UN Commission on Human Rights. It also shortly preceded a visit to China by US Secretary of State Condoleezza Rice.

A successful businesswoman, Rebiya Kadeer provided fellow Uighurs, in the predominantly Muslim XUAR, with training and employment. She founded the Thousand Mothers Movement to promote women’s rights and economic security. The Chinese government appointed her to its delegation at the 1995 UN World Conference on Women. However, she fell from favour in the late 1990s because of her activism in the oil-rich XUAR and her husband’s outspoken criticism of the government.

When she sent publicly available newspapers to her husband in the USA she was arrested, in 1999, for “providing secret information to foreigners”. She was sentenced to eight years’ imprisonment after a secret trial.

Thousands of AI members campaigned for Rebiya Kadeer's release, including web actions from AI sections worldwide. Her release shows how consistent international pressure can be effective.

AI continues to campaign on behalf of other Uighurs still detained in XUAR because of the peaceful expression of their ethnic identity or opinion.

AI launches trade union action for Bhopal disaster victims

AI has launched a postcard campaign using a Union Carbide Company (UCC) poster to call on UCC/Dow Chemical to face justice for the thousands of lives wrecked by the 1984 gas leak from its pesticide plant in Bhopal, central India.

This May Day, trade union members are being urged to take up the Bhopal case as a symbol of corporate failure to respect the rights of the communities in which they operate.

Trade unionists are further encouraged to use the Bhopal case to highlight the value of the UN Norms for Business in clarifying the duty companies have to respect and protect human rights.

More than 7,000 people died in Bhopal as a result of exposure to toxins released by the Bhopal plant leak. In the years that followed, many more thousands died or developed debilitating illnesses which impaired their ability to work. A 1985 survey found that 65 per cent of workers in the area most seriously affected by the disaster faced a drop in income ranging from 20 to 100 per cent.

UCC was aware of safety concerns at its Bhopal plant as early as 1982, but failed to take necessary precautions. In fact, from 1983, the company implemented various cost-cutting measures that meant that damaged equipment was patched up instead of repaired, or replaced with sub-standard equipment. "We started using bits and pieces of equipment which were better thrown away – for instance caskets and bits and pieces of pipelines," recalled a former safety officer at the plant. "We welded them together and used them."

The company continues to evade responsibility, refusing to disclose toxicological information about the leaked substances which is vital to properly treating victims of the disaster. Since 1991 UCC has refused to appear before the Bhopal district court where criminal charges are still pending against them. In May Dow Chemical, which took over UCC in 2001, is expected to appear for the first time before an Indian criminal court to explain why UCC has never answered to charges of culpable homicide.

See *India: Clouds of injustice – Bhopal disaster 20 years on* (ASA 20/015/2004) and "A bitter wind in Bhopal", *the Wire*, December 2004.

Take action! Write, urging UCC/Dow Chemical to: appear before the Bhopal court in the criminal case, make public all information it has on the gases released on the day

of the leak, and cooperate fully with those assessing the long-term health consequences of the gas leak.

Send letters to: Andrew N. Liveris, President and Chief Executive Officer, Dow Chemical Company, 2030 Dow Center, Midland, MI 48674, USA. Fax: (+1) 989 638 9468

Email: anliveris@dow.com (cc: appeals@amnesty.org)