

ACT 31/02/98

**DISCRIMINATION:**  
an attack on all our rights

Standard back text for all leaflets

Discrimination: a human rights violation

Discrimination, a human rights violation in itself, causes mass human rights violations around the world. It systematically denies people their rights because of who they are or what they believe. It is an attack on the fundamental principle that human rights are everyone's birthright and apply to all without distinction.

When the "difference" between humans is manipulated to encourage division and hatred, the inevitable consequence is suffering. Ethnic, religious and racial conflicts have led to genocidal killings and widespread rape. Institutionalized racism results in ethnic minorities suffering unfair treatment, torture and inhuman punishments when confronted by the law. Every day, misogyny, homophobia and many other forms of discrimination result in people suffering violence, repression, exclusion, poverty and humiliation.

In some societies, the low status of women leads to infanticide of girls. In others, girls suffer genital mutilation. In many places, discrimination denies people their social, economic and cultural rights: they are excluded from education, jobs and health care, or are persecuted for speaking their own language, for the way they look, or for being young or old.

Discrimination undermines the key concept on which the Universal Declaration of Human Rights (UDHR) is founded: that "all human beings are born free and equal in dignity and rights". Combating discrimination is therefore a fitting way of promoting the UDHR during its 50th anniversary year, and is a task that urgently needs your support.

**GET UP,  
SIGN UP!**

Make your personal pledge to uphold the Universal Declaration of Human Rights.

"I pledge to do everything in my power to ensure that the rights enshrined in the Universal Declaration of Human Rights become a reality throughout the world"

Signature:

You can sign up on the Website:  
<http://amnesty.excite.com>

Or send this signed slip to:  
Get Up, Sign Up!  
Amnesty International, International Secretariat,  
1 Easton Street, London WC1X 8DJ, United Kingdom

## GUATEMALA

No justice for the poor

Write to:

Minister of the Interior,

Lic. Rodolfo Mendoza, Ministro de Gobernación, Ministerio de Gobernación, Despacho Ministerial,  
Of. No. 8, Palacio Nacional,

6a Calle y 7a Avenida, Zona 1, Guatemala, Guatemala

Copies to:

Sres. Confregua,

10 Calle "A" 1-40, Zona 1, Guatemala,

Guatemala

Express concern at the irregularities and long delays that have marked investigations in the Tululché case, the continuing threats against lawyers and witnesses, and the discriminatory treatment of indigenous witnesses. Urge that those responsible for the massacre are brought to justice and the relatives compensated.

Indigenous peasants denied justice

'They did us so much harm that we have to do something'

Sixteen years after at least 10 indigenous peasants in Guatemala were killed in cold blood by soldiers simply because of who they were and where they lived, the discrimination that contributed to the massacre is still preventing relatives from receiving justice.

In the early hours of 22 November 1982 a group of civil patrollers (civilian auxiliary forces that acted under military command) and soldiers arrived in Tululché, a village in the municipality of Chiché, department of El Quiché. The patrol rounded up all the men and marched them to the village football pitch. Then they read out the names of at least 10 men and executed them in front of the others. The bodies were buried nearby. It took 10 years for the makeshift grave to be exhumed to determine officially the cause of death.

The legal handling of the investigations into this and other human rights violations committed against indigenous peasants in Guatemala in the early 1980s is a striking example of the barriers faced by relatives, witnesses and lawyers who try to seek justice. In May 1997 a court absolved the military commissioner who reportedly led the attack on Tululché. He was accused of committing more than 150 crimes, including 35 extrajudicial executions, abduction and torture, including rape, in the Tululché area. Shortly after the court's decision, the UN Verification Mission in Guatemala expressed concern about serious irregularities in the trial, including the discriminatory way in which prosecution witnesses, the majority of whom were indigenous women, were denied translators, and the unwarranted dismissal of evidence. In addition, eye-witnesses to the massacre and lawyers in the case were intimidated, harassed and threatened with death. Since then, the case has been marked by further delays and serious judicial irregularities.

Mass extrajudicial executions such as those committed in Tululché claimed tens of thousands of lives in the Guatemalan countryside during the 36-year armed conflict. Most of the victims were indigenous peasants, eliminated solely because they lived in areas targeted in the military's "scorched earth" counter-insurgency policy, which aimed to deny guerrillas any local support by razing entire areas, eliminating communities, and destroying crops and livestock.

Following the peace agreement between the government and the armed opposition in December 1996, some limited efforts have been made to bring perpetrators of human rights violations to justice. However, poor indigenous relatives of victims who attempt to pursue claims often face severe obstacles in the Guatemalan courts. Most frequently, they are denied access to translators during proceedings or are threatened with violence or death to force them to drop their cases.

Abuse of rights

Discrimination leads to violations of the fundamental rights enshrined in the Universal Declaration of Human Rights. Among the rights violated in this case are:

#### ARTICLE 3

“Everyone has the right to life, liberty and security of person.”

#### ARTICLE 7

“All are equal before the law and are entitled without any discrimination to equal protection of the law...”

captions

Left: The woman in this picture, María Mejía, was among the many people extrajudicially executed in El Quiché department in the armed conflict which ended in 1996 © AI

Cover picture: Relatives of “disappeared” members of the indigenous rights organization “We Are All Equal”, 1998 © AI

#### IRAQ

Expulsions of Kurds

Write to:

H.E. President Saddam Hussein,  
President of the Republic,  
Presidential Palace, Karadat Mariam,  
Baghdad, Iraq.

Telexes: 212299 alqasr ik

Telegrams: President Hussein, Baghdad, Iraq

Salutation: Your Excellency

Call for all expulsions of Kurdish families to be stopped, for those already expelled to be allowed to return home, and for the end of discrimination against Kurds. Also call for the immediate and unconditional release of people detained in preparation for expulsions as they are considered to be prisoners of conscience.

Kurds not welcome here

‘A long history of systematic human rights violations’

“Get out. You’re not wanted here.” This is the message the Iraqi authorities are increasingly sending to Kurdish families from the Kirkuk area, most of whom have known no other home. The message is backed by threats, arbitrary arrests and violence. In almost all cases, the victims are targeted solely because of their ethnic origin.

One Kurdish man, a father of two children aged four and two, was summoned by the Iraqi authorities on 10 December 1997 and told he must leave the Kirkuk area. On 15 December he was arrested and then beaten while held in Al-Andalus police station for three days. While he was detained the authorities confiscated his family’s food ration cards. His wife was told that her husband would be released only if she came to the police station with their possessions and agreed to leave the Kirkuk area with the rest of her family. She agreed and on 18 December the four of them left for areas under the control of the two main Kurdish parties, the Patriotic Union of Kurdistan (PUK) and the Kurdistan Democratic Party (KDP).

Since November 1997 hundreds of Kurdish families have suffered a similar fate. The usual procedure is that a family member is detained as a “hostage” to prevent the family from evading expulsion. Often the belongings, ration cards and identity papers of the family are confiscated. The detained person is then released only when the family has reached the check-point in Iraq nearest to areas under the control of the PUK or KDP.

All too often, those held are tortured before being expelled. In one case in late 1997, a man detained to put pressure on his family to leave the Kirkuk area became seriously ill after being tortured. He was then released, but died several weeks later. His family, who were subsequently expelled, are afraid of giving his name as they fear reprisals against relatives who remain in the Kirkuk area.

In April 1998 the Iraqi Government was reported to have issued an order for the expulsion from the Kirkuk area to provinces under Kurdish control of a further 1,468 Kurdish families before mid-June. A few days later the expulsions began, with at least seven families reportedly forced to leave on 23 April alone.

Such expulsions are the latest development in a long history of systematic human rights violations against Iraq’s Kurdish population. In recent decades hundreds of thousands of Kurds have “disappeared” and many have been extrajudicially executed. Kurds have also suffered arbitrary arrests, torture and mass killings by chemical and other types of weapon.

Abuse of rights

Discrimination leads to violations of the fundamental rights enshrined in the Universal Declaration of Human Rights. Among the rights violated in this case are:

ARTICLE 9

“No one shall be subjected to arbitrary arrest, detention or exile.”

ARTICLE 13

“2. Everyone has the right to... return to his country.”

Captions

Left: Kurdish children in Kiziltepe camp © AI

Cover picture: Kurdish children refugees in Silopi camp © AI

## FEDERAL REPUBLIC OF YUGOSLAVIA: KOSOVO

Ethnic Albanians targeted for abuse

Write to:

Slobodan Milošević

President of the Federal Republic of Yugoslavia

Bulevar Lenjina 2

11070 Beograd, Yugoslavia

slobodan.milosevic@gov.yu

Call for strict orders to be given to police officers not to torture or ill-treat people, such as Vlora Maliqi, an ethnic Albanian who was beaten in Priština in March 1998, and to respect the Universal Declaration of Human Rights and other human rights standards.

Growing ethnic hatred

‘Six policemen beat me... they kicked me all over my body’

Nineteen-year-old student Vlora Maliqi was among a group of ethnic Albanians who were leaving a demonstration in Priština, Kosovo province, on 19 March 1998. Suddenly, the police moved in, beating and ill-treating those who were trying to disperse. Vlora Maliqi was pulled down and badly beaten. She said: “Six policemen beat me, they hit me everywhere. They kicked me all over my body... they pushed me to the ground, pulled my hair. They turned me over to hit me on the back and then in the stomach.”

The atmosphere was tense in Priština that day as Serbs from all over Serbia converged on the town for a counter-demonstration opposing the demands of the ethnic Albanians. But the actions of the police were not an isolated incident. For years similar reports of police violence against ethnic Albanians have been constantly received, culminating in the situation today when the province is engulfed in an armed conflict, born to a large degree as a result of such human rights abuses. Tension has been rising in Kosovo since 1989 when the Serbian authorities effectively removed the province’s autonomous status within Serbia and Yugoslavia. Since then, the majority of ethnic Albanians in Kosovo province (where they comprise around 90 per cent of the population) have refused to recognize Serbia’s authority.

A “parallel” society was then created by ethnic Albanians, with their own political organizations (which boycotted the Serbian and Yugoslav political system), schools and other institutions.

Ill-treatment and other human rights violations by police still continued to increase.

The ethnic Albanian political leaders pursued a policy of non-violent resistance to the Serbian authorities. In apparent frustration at the lack of progress towards improving the situation in Kosovo — and against a background of a widespread perception among ethnic Albanians that Kosovo had been ignored during the negotiation of the Dayton Peace Agreement for Bosnia-Herzegovina — a group of armed ethnic Albanians calling themselves the Kosovo Liberation Army (KLA) emerged. In 1996 armed attacks began on Serb police, Serb civilians and others, not all of which the KLA claimed responsibility for. In late February and early March 1998 the Serbian police killed around 80 people in operations against the KLA. Excessive force was used and many of those killed (among them women

and children) may have been unlawfully killed. Vlora Maliqi was beaten after one of a series of demonstrations by ethnic Albanians against these killings.

Since March there has been armed conflict in the province between the Serbian police and Yugoslav Army on one side and the KLA on the other. Tens of thousands of people have been internally displaced or have become refugees amid gross human rights abuses. Although the majority of victims have been ethnic Albanians, Serbs have also suffered.

#### Abuse of rights

Discrimination leads to violations of the fundamental rights enshrined in the Universal Declaration of Human Rights. Among the rights violated in this case are:

#### ARTICLE 3

“Everyone has the right to life, liberty and security of person.”

#### ARTICLE 5

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. ”

#### captions

Left: An ethnic Albanian girl holds up candles, as she makes the victory sign, during a demonstration in the centre of Priština, the capital of Kosovo province, 15 March 1988. © Oleg Popov/Reuters

Cover picture: Vlora Maliqi after she was beaten in 1998 © AI

## MYANMAR

Ethnic minorities treated like slaves

Write to:

Senior General Than Shwe,  
Chairman, State Peace & Development Council, c/o Ministry of Defence,  
Signal Pagoda Road, Yangon,  
Union of Myanmar

Call for active promotion of respect for all ethnic minorities in Myanmar and for an end to human rights violations against them.

Ethnic minorities enslaved, abused and killed

‘You are Shan, you are not the same blood as us. We are going to kill you...’

A 31-year-old rice farmer from the Shan Buddhist community in Pri Tho Lae township, Kayah State, says he can’t remember how many times he was forced to act as a porter by the military. But he will never forget his treatment. “I had to walk every day, starting at 3am or 4am. Every time I did porter duty I was beaten and kicked. Often I was hit with a rifle butt or with the magazine of the gun... I saw many, many dead bodies.”

Forced portering is just one of many human rights violations routinely suffered by Myanmar's ethnic minorities. Under the country's military government, members of these communities face discrimination in every aspect of their lives. The Rohingyas (Muslims from Rakhine State), for example, are not even acknowledged as a race by the government and are denied full citizenship. In such a climate, the army (the *tatmadaw*) feels free to violate the basic rights of ethnic minorities with impunity.

Hundreds of thousands of Myanmar's ethnic minorities have been seized by the *tatmadaw* to work as porters. They are arbitrarily detained, and then tortured and ill-treated as punishment if they cannot perform as required. They are repeatedly beaten with bamboo sticks or rifle butts; deprived of food, water, rest and medical treatment; and killed if they try to escape.

One victim was a 39-year-old Buddhist Mon trishaw driver from Mawlamyine township in Mon State. He was seized at the railway station there in January 1997 by local police and taken to Kayin State to serve as a porter for the *tatmadaw* during a military offensive against an armed opposition group. When he struggled to carry his load, he was beaten. Three months later he escaped to Thailand, still bearing the wounds of his torture.

Similarly, large numbers of people from minority communities in Myanmar have been forced to work as unpaid labourers on construction sites. No one is spared, not the sick or the elderly, not pregnant women or children. The work is demanding and includes breaking stones and moving earth. Workers usually have to bring their own food and are offered little or no medical care on dangerous sites. Accidents and mudslides frequently cause injuries and sometimes death.

A 60-year-old Shan man from Nam Zarng township described his treatment when he was forced to work at a military camp at Nammo Kao Sin in 1997: "The soldiers said, 'You are Shan, you are not the same blood as us. We are going to kill you but before we kill you we are going to force you to work.'"

Ethnic minorities make up about a third of Myanmar's population and face persistent abuses. For the Akha, Karen, Karenni, Mon, Rohingya, Shan and many other ethnic communities in the country, discrimination means hunger, displacement, torture, enslavement and, all too often, death.

#### Abuse of rights

Discrimination leads to violations of the fundamental rights enshrined in the Universal Declaration of Human Rights. Among the rights violated in this case are:

#### ARTICLE 4

"No one shall be held in slavery or servitude..."

#### ARTICLE 7

"All are equal before the law and are entitled without any discrimination to equal protection of the law..."

#### captions

Right: A member of the Mon ethnic minority who was forced to act as a porter by the army. © AI

Cover picture: Karen refugees. © Ben Bohane

## PAKISTAN

Harassed for defending women's rights

Write to:

Prime Minister Nawaz Sharif,  
Office of the Prime Minister,  
Islamabad,  
Pakistan

Call on the authorities to protect women's rights campaigners and other human rights activists. Urge them to end laws and practices that discriminate against women and other vulnerable groups.

Abused for combating discrimination

'They have done everything to intimidate...'

Asma Jahangir has been harassed and threatened for defending people whose rights have been violated because of discriminatory laws or official contempt for human rights. She is a human rights lawyer, Chairperson of the Human Rights Commission of Pakistan, and a member of the Women's Action Forum. She has been particularly targeted for her work on behalf of members of religious minorities and her work in relation to the treatment of child prisoners and to laws that discriminate against women.

In 1995 Asma Jahangir defended Salamat Masih, who had been sentenced to death for blasphemy for allegedly scribbling blasphemous words on the walls of a mosque. At the time of the alleged offence Salamat Masih was only 14 years old and illiterate. Salamat Masih was acquitted on appeal within a month of being sentenced as there were no witnesses and no material evidence against him. Shortly after the acquittal, a gang of armed men forced their way into the house of Asma Jahangir's sister to look for her, but Asma was not there so escaped attack.

More recently, Asma

Jahangir defended a 22-

year-old woman, Saima Wahid, whose father sought to have her marriage declared illegal by the courts because she had married without his consent. Saima Wahid spent 11 months in a women's shelter for fear that her father might kill her. In March 1997 the Lahore High Court ruled that the consent of a male guardian was not required for a marriage to be valid. The case was important in defending a woman's right to choose her husband — a right which is under attack. In September 1996 the Lahore High Court had ruled that a Muslim woman cannot marry without the consent of her male guardian and that any marriage contracted without this consent is not valid. For taking up this and other cases, Asma Jahangir has faced further threats.

Women face widespread discrimination under the law in Pakistan. The Zina Ordinance, which was promulgated in 1979 and concerns sexual offences, effectively provides for the imprisonment of women solely on the grounds of gender; prescribes cruel, inhuman and degrading punishments for women; discriminates against girls; and can lead to victims of rape being imprisoned on charges of zina (extramarital sexual intercourse). When a crime is considered to merit a hadd or mandatory punishment, a woman defendant loses any right to present her evidence. Conviction is then based exclusively on the offender's confession or the testimony of four male Muslim eye-witnesses of good repute. Hadd punishments for zina range from death by stoning to public flogging, imprisonment or a fine. Women whose marriage is declared invalid thus face the charge of zina and could be sentenced to death by stoning.

Asma Jahangir and other women's and human rights activists remain in danger in Pakistan for campaigning against discriminatory laws and practices.

### Abuse of rights

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#### ARTICLE 3

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#### ARTICLE 7

“All are equal before the law and are entitled without any discrimination to equal protection of the law...”

#### captions

Left: Asma Jahangir with Saima Wahid outside the court

© Rahat Dar/NEWSLINE

Cover picture: Asma Jahangir © HRCP

### UNITED STATES OF AMERICA

Racist application of death penalty

#### Write to:

President Bill Clinton,  
The White House,  
Office of the President,  
1600 Pennsylvania Avenue,  
Washington DC 20500,  
USA

Call for the abolition of the death penalty as it is the ultimate cruel, inhuman and degrading punishment and violates the right to life. Pending abolition, the US federal and state governments should impose a moratorium on executions and take urgent action to ensure that racism is eradicated from the judicial system.

#### Racism and the death penalty

‘Even under the most sophisticated death penalty statutes, race continues to play a major role in determining who shall live and who shall die’

Justice Blackmun, US Supreme Court, 1994

Racism affects millions of men and women from ethnic minorities in the USA. One area where it can mean the difference between life and death is in the judicial system.

Wilburn Dobbs, a young black man, was sentenced to death in 1974 after a trial reeking of racism. He was convicted of murdering a white man during a robbery. At the trial, Dobbs was represented by a state-appointed attorney who sought a delay, stating that he was “in a better position to prosecute the case than defend it”. During the hearing, the judge and defence attorney referred to Dobbs as the “coloured boy”. Two of the jurors later admitted to using the racial slur “nigger”. At no time did the defence attorney present the strong mitigating evidence which might have persuaded the jury to spare Dobbs’ life. The Federal District Court subsequently condemned the blatantly racist views of Dobbs’ trial attorney but refused to overturn the sentence or conviction. In June 1998, after 24 years on death row, an appeal court overturned Dobbs’ death sentence, not on the grounds that he suffered a racist trial but on the grounds that his attorney had been inadequate in not pleading for the jury to spare his client’s life. Dobbs will soon face a second sentencing hearing where a jury will decide between life imprisonment and the death penalty.

Race is undeniably a factor in the application of the death penalty in the USA. Black people make up 12 per cent of the US population, but 42 per cent of those on death row. The race of the murder victim and of the defendants heavily influences who is sentenced to death. Black and white people are the victims of murder in roughly equal numbers, yet 82 per cent of people executed since 1977 have been convicted of killing white victims. The Judge who heard Dobbs’ case had presided over four death penalty cases. All the victims were white. In the two cases involving white defendants, life sentences were imposed. In the two cases involving black defendants, the death penalty was imposed. The judicial system that hears such cases remains overwhelmingly white. In Georgia, where Dobbs’ trial was held, all but one of the state’s 46 district attorneys are white. Since 1983, six of the 12 black people executed in the state were convicted and sentenced by all-white juries after prosecutors removed all potential black jurors. In the country as a whole, in those states which have capital punishment, 1,794 of the 1,838 officials (mostly district attorneys) responsible for deciding whether or not to seek the death penalty are white.

#### Abuse of rights

Discrimination leads to violations of the fundamental rights enshrined in the Universal Declaration of Human Rights. Among the rights violated in this case are:

#### ARTICLE 3

“Everyone has the right to life, liberty and security of person.”

#### ARTICLE 7

“All are equal before the law and are entitled without any discrimination to equal protection of the law...”

#### captions

Left: A member of the Ku Klux Klan demonstrating in favour of the death penalty, Georgia, 1991 © Bill Clark

Cover picture: A vigil outside Florida’s state prison at the time of an execution, 1979 © Doug Magee

## ZIMBABWE

## Persecution of lesbians and gay men

Write to:

President Robert Mugabe,  
The President's Office,  
P Bag 7700,  
Causeway,  
Harare,  
Zimbabwe

Call for the charges against Keith Goddard to be dropped. Urge the government to stop stirring up prejudice and violence against sexual minorities, and to repeal all legislation that discriminates against people on the basis of their sexual orientation.

Gay human rights activist persecuted

'In Zimbabwe, gays shall remain a very sad people forever'  
President Robert Mugabe

Keith Goddard, programmes manager of Gays and Lesbians of Zimbabwe (GALZ) and one of the country's most prominent gay activists, was arrested in June 1998 on allegations of sodomy. It appears that he was targeted because he is a vocal spokesperson for GALZ and publicly criticizes the Zimbabwean authorities' abusive statements against gays and lesbians. If convicted, he could face up to seven years in prison. If imprisoned, he would be considered a prisoner of conscience.

Currently, Keith Goddard is out of custody on free bail. He is due to attend a remand hearing on 9 September 1998. No trial date has yet been set. Sodomy and other sexual acts between men remain a crime in Zimbabwe under common law as "unnatural" offences.

The case against Keith Goddard appears to be "trumped up". Keith Goddard approached police after he received three threatening letters from an individual — Siphephele Vuma — starting in May 1997. The letters demanded cash, claiming that sexual relations had taken place between the two men. But police took no action after Keith Goddard took them the first two letters. When he made a third complaint to police, after receiving a further letter from Siphephele Vuma demanding goods and cash amounting to about US\$2,000, the police charged Siphephele Vuma with extortion. However, they also detained Keith Goddard after Siphephele Vuma made a counter accusation of forced sodomy at gunpoint.

The prosecution of Keith Goddard is the latest incident in a mounting campaign of repression against sexual minorities in Zimbabwe. President Robert Mugabe's government appears to be trying to use homosexuals as a scapegoat to divert attention away from mounting domestic discontent. President Mugabe has stated publicly that homosexuals "have absolutely no rights whatever", and has slurred them as "beasts", "perverts" and "worse than dogs and pigs". In 1995 the government banned GALZ from running a stall at the Zimbabwe International Book Fair. GALZ subsequently won a legal battle to overturn the ban and participated in the 1996 fair. However, its members there were attacked and their literature burned. Despite their pleas, they were not given police protection.

More recently, President Mugabe attacked the World Council of Churches for allowing homosexuals to attend their assembly, to be held in Zimbabwe in December 1998. Shortly afterwards, President Mugabe said that everyone in Zimbabwe had rights except gays and lesbians.

All human rights apply to all cultures, all countries and all individuals, regardless of sexual orientation. Zimbabwean human rights activists, like activists elsewhere in Africa, are promoting awareness that

persecution on the grounds of sexual orientation is a grave violation of fundamental human rights. These activists, including Keith Goddard, need to be defended.

#### Abuse of rights

Discrimination leads to violations of the fundamental rights enshrined in the Universal Declaration of Human Rights. Among the rights violated in this case are:

#### ARTICLE 2

“Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind...”

#### ARTICLE 7

“All are equal before the law and are entitled without any discrimination to equal protection of the law...”

#### captions

Left: Keith Goddard (right) with “Tsitsi Tiripano”, November 1997

© AI

Cover: Keith Goddard © AI