

# AMNESTY INTERNATIONAL

## External Document

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### **Amnesty International Report 2005 Speech by Irene Khan at Foreign Press Association**

Many millions feel betrayed and let down by the failure of governments and the international community to uphold human rights.

The Amnesty International Report 2005 reflects the voices of many individuals from 149 countries across the world. The report reveals a familiar pattern of abuse and impunity across many different situations: from old fashioned repression in places like Algeria, Iran, Myanmar and the Maldives to new forms of restrictions against internet users in China and Vietnam; from long-festering conflicts in Colombia, DRC, Israel and the Occupied Territories, to new outbreaks of violence that occurred in 2004 in Cote d'Ivoire and Haiti.

Some cases, like Iraq, were in the news daily and others, like Afghanistan, Colombia and Nepal, slipped off the agenda. Governments were responsible for the violations but so too in many cases were armed groups.

There was some good news in 2004, for instance in Turkey and Morocco, but the overriding message of our report is that: Governments betrayed their promise to fulfil human rights. They failed to show principled leadership through inaction, indifference, erosion of standards, impunity and lack of accountability.

I choose the word "betrayal" deliberately. The gap between the promise and performance of governments, between their duty to uphold human rights and their failure to do so, between their rhetoric to respect human rights and their work to disregard and distort them was so wide in 2004 that I can find no other word to describe it.

In 2004 the most publicised instance of inaction was Darfur.

The government of Sudan betrayed the people of Darfur by unleashing a campaign of killing, rape, displacement and destruction. But the UN also betrayed them by doing too little too late. The people of Darfur were held hostage to China's oil interests, Russia's arms trade and the US's aversion to the International Criminal Court.

Just as the UN failed the people of Darfur, the African Union is failing the people of Zimbabwe right now. African leaders do a disservice to themselves and their own people when they use African solidarity as a cover for impunity, rather than a call for accountability.

There were also less publicised manifestations of failed leadership – for instance, in the indifference to violence against women, and in the inability to tackle poverty and social injustice.

Amnesty International's Global Campaign to Stop Violence Against Women exposed horrendous abuse of women's human rights by state and non-state actors, in times of peace as well as war. Not only are governments failing to protect women, they are failing to stand up to the backlash from conservative and fundamentalist forces.

From forced eviction in Angola to lack of health care for rape survivors in eastern DRC, AI documented the growing gap between promise and performance in the area of economic and social rights.

The failure of governments was compounded by the complicity of big business, the most blatant case being Bhopal in India, where victims are still awaiting justice and just compensation twenty years after the gas leak.

Africa is high on the agenda of the G8 but the call to Make Poverty History will remain an empty slogan unless the international community and African governments work together to tackle the causes that underlie the chronic failures of human rights – the massive corruption, mismanagement, abuse of power, festering conflicts, and political instability.

It will be yet another exercise in hypocrisy if the G8's willingness to increase aid outstrips their eagerness to sell arms to African leaders. Our report states that as the role of peacekeeping missions expanded in Africa in 2004, so did the flow of arms. Therefore, we welcome the announcement by the British government, the second largest country selling arms, to support an Arms Trade Treaty, and to put it on the agenda of the G8.

Our report presents a damning picture of failed leadership and broken promises. But of all the promises made by governments, none was as hollow as the promise to make the world a safer place from terrorist attacks.

Attacks by armed groups pose a major threat to human rights in today's world. Over the past year we have seen unimaginable brutality and barbarity by armed groups in Iraq, Beslan and Madrid.

Yet, the US government and its allies who lead the "War on Terror" continue to persist with politically convenient but ineffective strategies, which undermine human rights.

There can be no sustainable security strategy without justice and respect for human rights. The continued violence in Israel and the Occupied Territories. Despite the building of the Wall – in defiance of international law, the most stringent restrictions on freedom of movement of Palestinians, and the biggest demolition of houses in recent years, the security situation remains precarious.

In 2004, far from any sign of principled leadership, we saw a new and dangerous agenda in the making, rewriting the rules of human rights, discrediting the institutions of international cooperation and usurping the language of justice and freedom to promote policies that create fear and insecurity.

The US is leading this agenda, with the UK, European states, Australia and other states following.

Under this agenda, accountability is being set aside in favour of impunity; a prime example being the refusal of the US Administration or US Congress to conduct a full and independent investigation of the use of torture and ill treatment by US officials, despite the public outrage over Abu Ghraib and despite the evidence, collected by AI and other, of similar practices in Bagram, Guantanamo and other detention centres under US control.

Another example was the attempt by the UK – thankfully unsuccessfully – (in the Baha Moussa case) to argue that its soldiers in Iraq are not bound by human rights law (notwithstanding Mr. Blair's claim that they are there to save the Iraqi population from Saddam's abuses - but obviously not from British ones)

The pick and choose approach to international law is being replaced by a "erode where you can, select if you must and subvert where you will" approach.

The US refuses to apply the Geneva Convention for detainees in Afghanistan. It continues to press for bilateral agreements to provide its citizens immunity from prosecution of the International Criminal Court (Congress legislation last year to penalise those who refuse).

But nothing shows the disregard of international law as clearly as the attempts by the US, UK and some European countries to set aside the absolute prohibition of torture and ill treatment by re-definition and "rendering" – or the transfer prisoners to regimes that are known to use torture. In effect sub-contracting torture, yet keeping their own hands and conscience clean.

Under this dangerous agenda, justice is not only denied, it is also distorted.

In the UK, shortly after the House of Lords threw out the law on arbitrary detention of foreigners, the government rapidly introduced a new form of detention – this time in one's own home.

In the US, almost a year after the Supreme Court decided that detainees in Guantanamo should have access to judicial review, not one single case from among the 500 or so detained has reached the courts because of stonewalling by the Administration.

Under this agenda some people are above the law and others are clearly outside it.

Guantanamo has become the gulag our times, entrenching the notion that people can be detained without any recourse to the law.

If Guantanamo evokes images of Soviet repression, "ghost detainees" – or the *incommunicado* detention of unregistered detainees - bring back the practice of "disappearances" so popular with Latin American dictators in the past.

According to US official sources there could be over 100 ghost detainees held by the US.

In 2004 thousands of people were held by the US in Iraq, hundreds in Afghanistan and undisclosed numbers in undisclosed locations.

AI is calling on the US Administration to "close Guantanamo and disclose the rest". What we mean by this is: either release the prisoners or charge and prosecute them with due process.

By peddling the politics of fear and division, this new agenda has also encouraged intolerance, racism, and xenophobia.

In 2004 our Report recorded incidents of religious humiliation of detainees in US custody, growing anti-Semitism in western Europe, including France and Belgium, and Islamophobia in Europe and North America. Ironic that this should happen as we mark the 60th anniversary of the liberation of Auschwitz.

Furthermore, the US, as the unrivalled political, military and economic Super Power, sets the tone of governmental behaviour world-wide. By thumbing its nose at the rule of law and human rights, what message does the US send to repressive regimes who have little regard for the rule of law anyway?

By lowering the human rights standards, the US has weakened its own moral authority to speak out on human rights.

By actively supporting repressive regimes as allies in the War on Terror, US, the EU and others actually promote greater insecurity. Uzbekistan is a case point. Belated calls for transparency and accountability cannot hide their earlier support and silence on human rights abuse by Karimov's government.

Throughout 2005, AI has also highlighted the double speak of the EU member states. They undermine their own credibility when they open dialogue on human rights with Iran, China, and Egypt but deafeningly silent on Guantanamo and Abu Ghraib. It throws doubt on the EU's ability and willingness to provide a genuine value-and rule-based alternative leadership.

However, despite the failure of leadership from key governments, the new agenda was not without opposition in 2004. The voices of resistance and positive developments gave us hope and energy.

For instance:

- Judgements of the US Supreme Court and the UK House of Lords
- The tide against impunity in Latin America.
- New ratifications to the International Criminal Court.
- Continued abolition of the death penalty – though a lot still remains to be done - bringing the total number of abolitionists to 84.
- Initiatives to reform the UN security and human rights machinery.

Most importantly 2004 saw massive popular mobilization for change in Spain, Georgia, Ukraine and elsewhere. People are hungry for justice and freedom, not just elections but respect for human rights, the rule of law, a free media and a diverse civil society. The challenge of the human rights movement in 2005 is to harness the power of civil society to push government to deliver on their promises.

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

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