



Bush gives green light to CIA secret detention

On 20 July 2007, US President George W Bush issued an executive order giving the green light to the programme of secret detention and interrogation operated by the Central Intelligence Agency (CIA) in the "war on terror". The order leaves the USA squarely on the wrong side of its international human rights obligations.

"I hereby determine", the President said in the executive order, that the CIA programme: "fully complies with the obligations of the United States under Common Article 3", provided that "the conditions of confinement and interrogation practices of the program" remain within the limits set out in the executive order.

Common Article 3 of the Geneva Convention reflects customary international law applicable in armed conflict. Like international human rights law, which is applicable at all times, it requires fair trials and prohibits, among other things, torture and cruel treatment. Common Article 3 also explicitly prohibits "outrages upon personal dignity, in particular, humiliating and degrading treatment".

In the ongoing CIA programme, detainees have been held entirely incommunicado in secret locations, often for years on end, denied access to lawyers, courts, relatives, international human rights monitors and the International Committee of the Red Cross. In September 2006, 14 detainees were transferred from secret CIA custody to Guantánamo, where they remain virtually incommunicado nearly a year later. A 15th CIA detainee was transferred to Guantánamo in April 2007.

The executive order allows a detention programme that violates international law to continue. Among other things, the order:

- Authorizes and endorses secret incommunicado detention, a practice that violates international law, and itself amounts to torture or other cruel, inhuman or degrading treatment. Such detention can amount to enforced disappearance, a crime under international law. Most of those who have already been held in the CIA programme have become the victims of enforced disappearance;

- Interprets Common Article 3 in such a way as to open the door to a sliding scale of legality in relation to acts that may amount to torture or other ill-treatment against detainees viewed by the CIA as potential sources of "high-value" intelligence;

- Contains additional loopholes that may allow further ill-treatment of detainees held in the CIA programme, including in relation to humiliating and degrading treatment;

- Fails to repudiate specific interrogation techniques which have allegedly been used in the programme and which clearly violate the international prohibition on torture and other ill-treatment, for example waterboarding – in effect mock execution by drowning;

- Facilitates and entrenches impunity, including for officials and agents who have authorized, condoned or carried out enforced disappearances, abductions, secret detentions, and torture or other ill-treatment;

- Discriminates on the basis of national origin, reserving internationally unlawful measures for use against foreign nationals and denies them access to remedies, in violation of international law.

The CIA secret detention programme must be terminated immediately and permanently. For more information, see *USA: Law and executive disorder: President gives green light to secret detention program* (AMR 51/135/2007).



Refugee women from the Central African Republic gather in southern Chad, May 2007

Fear and violence in the wild north

Soldiers, armed groups and criminal gangs are terrorizing the population in the northern Central African Republic.

Two of Weti Bibello's children have been abducted by bandits since 2005. Twelve-year-old Idi Weti and seven-year-old Moussa Weti were held hostage until their father handed over huge ransoms. Idi Weti was kidnapped twice. Weti Bibello is a member of the Mbororo ethnic group – nomadic cattlekeepers who live in the northern part of the Central African Republic. He raised the ransom money, the equivalent of nearly US\$9,000, by selling 56 of the family's cattle.

At the beginning of 2007, several members of his family were killed by armed groups and most of his remaining 150 cattle were stolen. In April, with his herd gone and fearing further attacks, Weti Bibello fled with his family to neighbouring Chad.

Armed gangs

Many of the bandits, known locally as Zaraguinas, are demobilized or disenchanted former members of government forces and armed opposition groups. They target the Mbororo in particular, stealing their livestock and kidnapping their children in the knowledge that they can sell their cattle to raise hefty ransoms that peasant farmers would never be able to pay.

These are just some of the serious human rights abuses occurring in the north of the Central African Republic documented in an AI report, *Central African Republic: Civilians in peril in the wild north*.

Humanitarian organizations and refugees escaping across the border into Chad have given harrowing accounts of armed groups and criminal gangs killing people, destroying and burning property, kidnapping children and raping women with impunity.

AI is concerned that, without immediate action to protect the population, the situation will degenerate further and have a severe impact on

security and human rights both in the Central African Republic and in neighbouring countries.

Continuing conflict

The violence is in part the continuing aftermath of a conflict in 2002-2003 in which President Ange-Félix Patassé was overthrown by an armed opposition group led by former army Chief of Staff General François Bozizé. Since then, violence has continued sporadically. Armed groups kill civilians who do not support or refuse to join them. Government troops kill civilians they accuse of colluding with the armed groups and burn down entire villages during reprisal attacks.

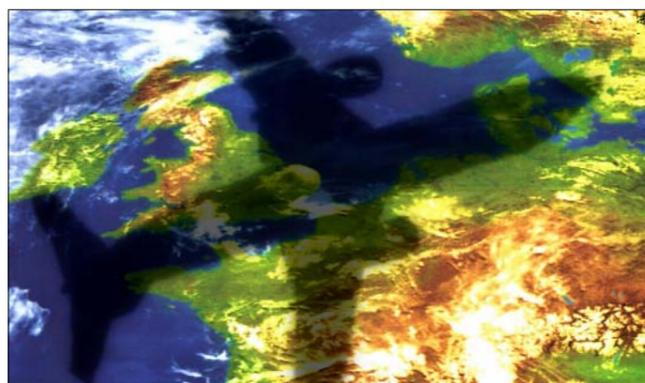
Unhindered by the government, the bandits have found abductions and robberies to be increasingly lucrative. Indeed, they have become better organized, better armed and have better knowledge of the local terrain, population and languages than the government forces.

Running for their lives

Faced with such unfettered violence, tens of thousands of people have fled to neighbouring countries, where they have limited access to humanitarian assistance. Several hundred thousand more have been internally displaced, abandoning their homes, food reserves and other property, which are often looted or destroyed by government soldiers, armed groups or bandits.

AI is calling on the government of the Central African Republic to fulfil its obligations to protect the civilian population from this continuing fear and violence. AI is also urging the UN Security Council to authorize the deployment of an international presence in the Central African Republic mandated to protect civilians, including the internally displaced persons and children.

For more information, see AI's report *Central African Republic: Civilians in peril in the wild north*, published in September 2007 (AFR 19/003/2007). Go to www.amnesty.org



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Why a global moratorium on executions now?

The UN General Assembly (UNGA) is considering a resolution calling for a moratorium on executions at its 62nd Session, which began on 18 September 2007. This is an important milestone towards achieving the UNGA's proclaimed aim: worldwide abolition of the death penalty. Now is the time to support adoption of the resolution, by the UN's principal organ, consisting of all UN member states, as a step towards full abolition! Why?

◆ The death penalty violates human rights

The right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment are recognized in the Universal Declaration of Human Rights, other international human rights treaties and many national constitutions. The death penalty violates these rights.

STOP THE DEATH PENALTY

AFRICA ROUND-UP

◆ The death penalty is applied in violation of international law

Disturbingly, a small number of countries continue to impose the death penalty on child offenders, people who are mentally ill and people who have been denied fair trials. This violates existing norms of international human rights law.

In Saudi Arabia, Dhahian Rakan al-Sibai was beheaded on 21 July 2007 for a murder allegedly committed when he was just 15 years old.

◆ The death penalty claims innocent victims and is irreversible

The death penalty has claimed innocent victims who can never be brought back to life. Prisoners have been executed despite strong doubts about their guilt. Others have been freed after a re-examination showed they had been wrongly convicted.

In Japan, four men sentenced to death in separate trials were released during the 1980s after it was established they were falsely accused and that confessions accepted as evidence in their trials had been extracted under torture. One of the men, Menda Sakae, was acquitted in 1983 after 34 years on death row.

◆ A cruel punishment

The cruelty of the death penalty is unique: apart from the cruelty of the execution itself, it involves the cruelty of being forced to wait on death row – often for many years – contemplating execution.

In Iran, stoning is the punishment prescribed for adultery. Stoning itself is calculated to cause maximum distress: the size of the stones is selected so as to cause a slow and painful death.

◆ Momentum towards worldwide abolition of the death penalty

The UN Secretary-General has stressed the importance of the trend towards abolition. Two thirds of all countries have now abolished the death penalty in law or practice. Fewer states than ever now carry out executions.

◆ **Rwanda:** On 27 July 2007, Rwanda abolished the death penalty. Around 600 people who were on death row have had their sentences commuted to life imprisonment as a result. Rwanda became the 14th African country to end capital punishment for all crimes; 18 others are abolitionist in practice.

◆ **Guinea:** In June 2007, the Guinean Minister of Justice and Human Rights, Paulette Kourouma, wrote to AI stating that the government was opposed to the death penalty and that no executions would be carried out.

◆ **Nigeria:** In May 2007 the Nigerian authorities announced that all prisoners aged over 70 and all prisoners over 60 who had spent more than 10 years on death row would be granted amnesties. However, by July no death row prisoners had been released; the prison authorities said this was due to administrative issues. Some prisoners in Nigeria have been on death row for as long as 20 or even 25 years.

◆ **Mali:** The re-election to Parliament of Kassoum Tapo in July 2007 raised hopes that legislation to abolish the death penalty would be put before Parliament soon. Kassoum Tapo, former Head of the Bar Association, was responsible for initiating a draft bill to abolish the death penalty in January 2007.

◆ **Mauritania:** In August 2007, several human rights organizations came together to announce the establishment of an association against the death penalty; the first of its kind in the country.

The death penalty in Iraq – an instrument of injustice

The death penalty was reinstated in Iraq in 2004. Since then, more than 300 people have been sentenced to death and more than 100 executed.

The Iraqi authorities justified the reintroduction of the death penalty with the argument that it was a necessary deterrent in such a grave and dangerous security situation. Three years on, however, there is no sign that the death penalty has deterred violence. According to the United Nations Assistance Mission for Iraq, at least 34,452 people were killed in violent incidents in Iraq in 2006.

Under the government of Saddam Hussain (1979-2003) hundreds, probably thousands, of people were executed, often after unfair trials. After a quarter of a century under such a regime, Iraq had little experience of the rule of law. The country lacked the structures which could be relied on to ensure fair trials. Amid the deepening security crisis, it was entirely predictable that the restoration of the death penalty would come to be seen, as in the case of Saddam Hussain's execution, as an instrument of vengeance rather than justice.

Four laws passed since 2004 have reintroduced the death penalty. All breach international standards. For example, under the Statute of the Supreme Iraqi Criminal Tribunal no authority, including the President, can grant a pardon or commute a death sentence imposed by the Tribunal. Decree No. 14 (2005), the so-called Iraqi Anti Terrorism Law, stipulates that the death penalty can be imposed on those convicted of conducting or participating in "terrorist" acts which are defined in very vague terms open to very broad interpretation.

Televised pre-trial confessions have been another area of concern. AI examined the cases of a number of people who were forced to make televised confessions which they later withdrew: some were acquitted, others were sentenced to death and several were executed. A confession admitting guilt is one of the most powerful pieces of evidence against any individual. Yet for many months until the practice was discontinued, the Iraqi authorities authorized the public screening of televised confessions before they were examined in court, severely prejudicing the fairness of trials.

The evidence suggests that confessions extracted under torture are being accepted in court and resulting in unsound convictions and the imposition of death sentences. There have been numerous reports of widespread and systematic torture or ill-treatment of detainees since 2003. In some high profile cases the Iraqi authorities have announced an investigation into such allegations. However, in the vast majority of cases those responsible have not been held to account. Many detainees – in particular those suspected of capital offences – make their first confession under interrogation at police stations or detention centres. Detainees are then frequently escorted by staff of that police station to their first appearance before an investigating judge. In such circumstances detainees may fear further torture unless they repeat the false confession to the judge.

In the context of widespread torture, impunity and violence, the continuing use of the death penalty can only add to the insecurity facing the people of Iraq and further brutalize society. AI continues to call on the Iraqi government to take decisive action now to reassert its commitment to human rights, including the right to life. It should immediately institute a moratorium on executions and take steps to abolish the death penalty for all offences.

For more information see AI's report, *Unjust and unfair: the death penalty in Iraq* (MDE 14/014/2007).

IRAQ

Women on death row

Samar Sa'ad 'Abdullah and Wassan Talib are both being held in the Kadhimiya Women's Prison in Baghdad, Iraq. They have been at imminent risk of execution since February 2007 when the Court of Cassation upheld their death sentences.

Samar Sa'ad 'Abdullah was sentenced to death on 15 August 2005 for the murder of her uncle, his wife and one of their children. She has maintained her innocence, stating that the killings were carried out by her fiancé. Her fiancé was said to have been accused of the same crime, but has so far apparently evaded arrest. In an interview with a journalist from the US TV network CNN, Samar Sa'ad 'Abdullah said that she had confessed to the murder under torture and had made this clear to the judge. Despite this, her complaint was ignored and she was sentenced to death.

Wassan Talib was sentenced to death by the Central Criminal Court of Iraq (CCCI) on 31 August 2006 for the murder of several members of the Iraqi security forces in the Baghdad district of Hay al-Furat in 2005. She has denied any involvement in the killings. AI has serious concerns about the fairness of

trials conducted before the CCCI, including the use of confessions allegedly extracted through torture and lack of access to lawyers.

The Iraqi government reinstated the death penalty in August 2004 for several offences. The first executions were carried out on 1 September 2005 and during 2006 at least 65 people, including two women, were executed. More than 300 people have been sentenced to death to date. President Jalal Talabani is personally opposed to the death penalty and reportedly is unwilling to sign warrants for execution. His presidential powers to grant clemency and sanction executions have effectively been delegated to the Vice-Presidents.

➔ Please write: expressing concern that Samar Sa'ad 'Abdullah and Wassan Talib have been sentenced to death and calling on the authorities to commute their sentences and investigate allegations of torture and unfair trial in their cases.

Send appeals to: fax numbers and e-mail addresses are not available for all Iraqi authorities. Please send appeals via the Iraqi embassy or diplomatic representative in your country, asking them to forward your appeals to:

President Jalal Talabani, Prime Minister Nuri Kamil al-Maliki, E-mail: iraqigov@yahoo.com

SAUDI ARABIA/NIGERIA

At risk of execution

Suliamon Olyfemi, a Nigerian national, is feared to be at imminent risk of execution. He is believed to have been sentenced to death in Saudi Arabia in 2004 after an unfair trial in connection with the death of a Saudi Arabian policeman in 2002. Suliamon Olyfemi has always maintained his innocence.

According to reports, on 28 September 2002, a group of men, among them a policeman, arrived in an area where many African nationals worked as car cleaners. An argument escalated into a fight in which the policeman was killed. The following day security forces carried out mass arrests in the area. Suliamon Olyfemi and 12 other men were tried in connection with the death of the policeman. They did not have legal representation and were not provided with adequate interpretation; the trial

was conducted in Arabic, a language they did not speak.

During interrogation they had been told to put their fingerprints, which can act as a signature, on statements written in Arabic. It is possible that these statements were used as evidence against them during the trial.

Some of the men alleged that they were tortured in detention. The 12 men arrested with Suliamon Olyfemi were sentenced to prison terms and flogging.

If the policeman who died has children, Suliamon Olyfemi could remain in prison until they reach the age of majority and decide whether to pardon him freely or in exchange for *diya* (compensation), or to call for his execution. If the policeman does not have children, Suliamon Olyfemi is at risk of imminent execution as his case has exhausted all levels of appeal.

➔ Please write: expressing concern that Suliamon Olyfemi may be at risk of imminent execution, calling on the Saudi Arabian authorities to commute his sentence and investigate allegations of torture and calling on the Nigerian authorities to raise his case with the Saudi Arabian authorities. Send appeals to: His Majesty King Abdullah bin 'Abdul 'Aziz Al-Saud, The Custodian of the two Holy Mosques, Office of His Majesty The King, Royal Court, Riyadh, Saudi Arabia.

Salutation: Your Majesty; and to:

His Excellency Alhaji Umar Yar'Adua, President of the Republic of Nigeria, Office of the President, Aso Rock, Abuja, Federal Capital Territory, Nigeria, Salutation: Your Excellency



– THE WORLD DECIDES

FACTS AND FIGURES: 2006

- ◆ People were sentenced to death in 55 countries.
- ◆ Executions were carried out in 25 countries.
- ◆ 91 per cent of the 1,591 executions recorded by AI took place in just six countries: China, Iran, Iraq, Pakistan, Sudan and the USA.

In November 2007, the UN General Assembly will vote on a resolution calling for a global moratorium on executions. AI has identified seven governments whose votes could be influential.

Please write to the authorities below, highlighting that there is a real momentum to end the use of the death penalty and that the UN resolution on a global moratorium on executions would be an important step towards abolition.

◆ **Guatemala:** President Lic. Óscar Berger Perdomo, Presidente de la República de Guatemala, Casa Presidencial, 6a. Avenida, 4-18 zona 1, Ciudad de Guatemala, Guatemala

Fax: +502 2221 4423

◆ **India:** President Smt. Pratibha Patil, Office of the President, Rashtrapati Bhavan, New Delhi 110 004, Delhi, India

Tel: +91 11-23014930 x 4211

◆ **Morocco:** His Excellency Mohamed Bouzoubâa, Minister of Justice, Ministry of Justice, Place Mamounia, Rabat, Morocco

◆ **Nigeria:** His Excellency Alhaji Umar Yar'Adua, President of the Republic of Nigeria, Office of the President, Aso Rock, Abuja, Federal Capital Territory, Nigeria

Tel: +234-9-2341010/ +234 9 523 5053
Fax: +234-9-2341733/ +234 9 314 8793

◆ **Peru:** Presidente Alan García Pérez Sr., Presidente de la República del Perú, Palacio de Gobierno, Plaza Mayor S/N., Lima 1, Peru

Fax: + 51 1 311 3913

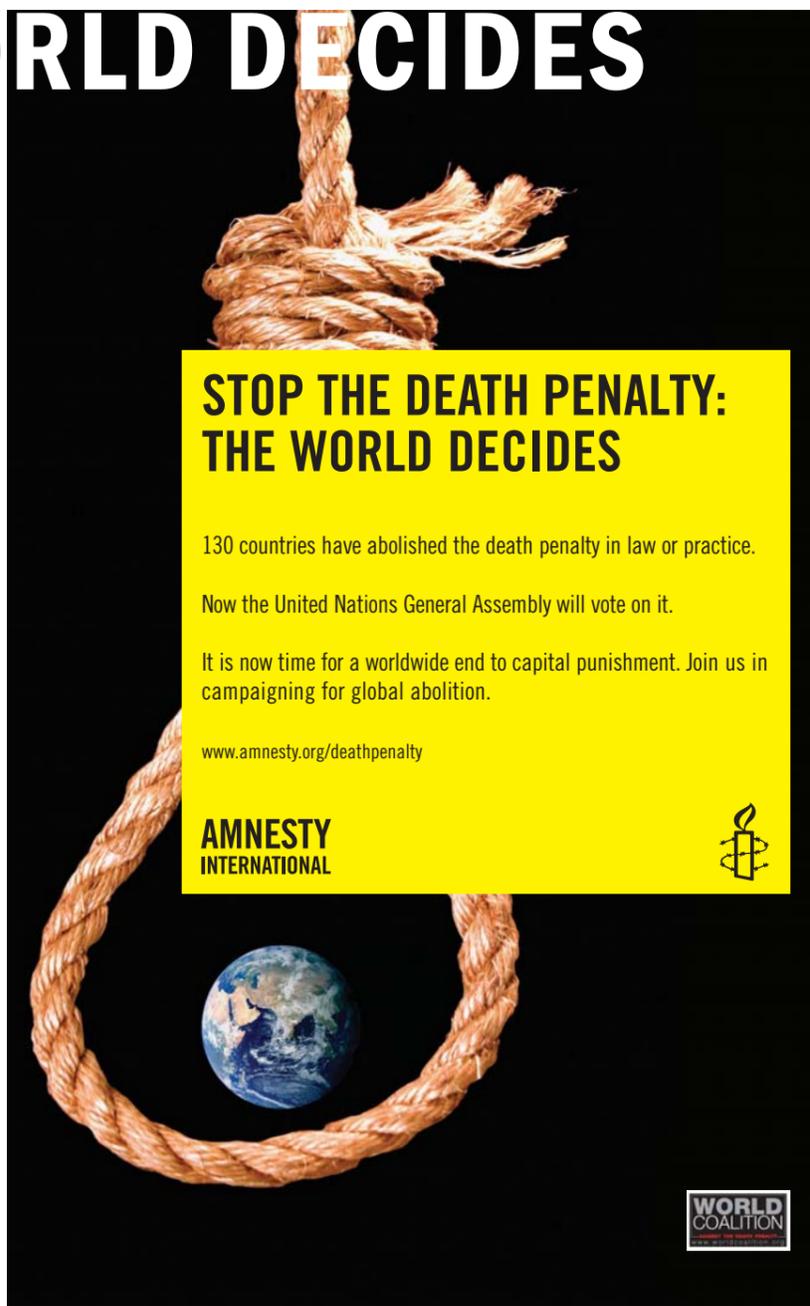
Tel: + 51 1 311 3900/ 311 4200

◆ **Republic of Korea:** An Sang-soo, Chairman of the Legislation & Judiciary Committee, Room 507, National Assembly Member's Office Bldg, Yeouido-dong, Yeongdeungpogu, Seoul 150-702, Republic of Korea

Fax: + 82 2-788-3507; Tel: +82 2-788-2494

E-mail: ansangsoo@assembly.go.kr

◆ **Tanzania:** President Jakaya Mrisho Kikwete, President; C.-in-C. of the Armed



**STOP THE DEATH PENALTY:
THE WORLD DECIDES**

130 countries have abolished the death penalty in law or practice.

Now the United Nations General Assembly will vote on it.

It is now time for a worldwide end to capital punishment. Join us in campaigning for global abolition.

www.amnesty.org/deathpenalty

AMNESTY INTERNATIONAL




Forces, Office of the President, The State House, Magogoni Road, PO Box 9120, Dar es Salaam, Tanzania

Tel: +255 22 211 6898

Fax: +255 22 211 3425

www.tanzania.go.tz/government/
Amani Abeid Karume, President of Zanzibar, Office of the President of Zanzibar, PO Box 776, Zanzibar

Tel: +255 24 205 11

More information, petitions and campaigning ideas are available from www.worldcoalition.org

It is believed that 104 people remain under sentence of death in Japan; some have spent over three decades on death row expecting to die at very short notice.

Ten men have been executed since former Justice Minister Nagase Jinen assumed office in October 2006. His predecessor, Sugiura Seiken, did not sign a single death penalty warrant because of his personal beliefs.

➤ Please write: expressing concern at the resumption of executions since October 2006, calling for an immediate moratorium on all executions and urging the authorities to end the secrecy surrounding the death penalty and begin a public and parliamentary debate on its abolition.

Send appeals to: Prime Minister Abe Shinzo, Prime Minister's Office, 2-3-1 Nagata-cho, Chiyoda-ku, Tokyo 100-0014, Japan. Fax: +81 3 3581 3883, E-mail: jpm@kantei.go.jp via website: <http://www.kantei.go.jp/foreign/forms/comment.html>
Salutation: Dear Prime Minister and to: Justice Minister Hatoyama Kunio, Ministry of Justice, 1-1-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8977, Japan. Fax: +81 3 3592 7088 +81 3 5511 7200 (via Public Information & Foreign Liaison Office) E-mail: webmaster@moj.go.jp
Salutation: Dear Minister

Uzbekistan: A grave for Dmitry Chikunov

Dmitry Chikunov was sentenced to death in Uzbekistan in 1999 and executed on 10 July 2000, the day before a scheduled meeting with his mother. He had reportedly been tortured in detention to make him confess to murder.

His mother, Tamara Chikunova, had official permission to visit him at Tashkent prison on 11 July 2000. The prison guards told her to come back the next day. When she returned on 12 July, they told her that he had been executed two days earlier.

Dmitry Chikunov was buried in secret and, despite more than seven years of campaigning, his mother still does not know where her son's body lies.

➤ Please write, asking the authorities to tell the family where Dmitry Chikunov is buried. Send appeals to: President Islam Karimov, Rezidentsia prezidenta, ul. Uzbekistanskaia 43, 700163 Tashkent, Uzbekistan. Fax: + 998 71 139 53 25; +998 71 139 15 17 (via Foreign Ministry) E-mail: presidents_office@press-service.uz
Salutation: Dear President Karimov



A wreath placed in public square as part of AI Netherland's campaign to support Tamara Chikunova in her search for her son's grave. Postcards signed by passers-by were later sent to President Karimov. Please promote AI Netherland's campaign by holding similar public events in your city/town.

Updates and appeals

Saudi Arabia

Siti Zainab Binti Duhri Rupa, an Indonesian woman, has been held in Medina prison in Saudi Arabia for more than eight years. She is feared to have been sentenced to death after she confessed to the murder of her employer in 1999. Siti Zainab, a mother of two who came to Saudi Arabia to take up a job as a domestic worker in 1998, has had no legal representation and no access to consular officials during interrogation. Police who interrogated her reportedly suspected that she had a mental illness, but nonetheless took her confession.

In January 2007 the President of the Saudi Arabian Human Rights Commission told AI that Siti Zainab's case had been raised with the relevant authorities.

➤ Please write, welcoming the news that Siti Zainab's case has been raised and seeking clarification of the steps being taken to review her case and to seek a pardon.

Send appeals to: His Excellency Dr 'Abdullah bin Muhammad bin Ibrahim Al-Sheikh, Minister of Justice, Ministry of Justice, University Street, Riyadh 11137, Kingdom of Saudi Arabia (fax: + 966 1 401 1741).

Salutation: Your Majesty

Iran

Twenty-year-old Delara Darabi is at risk of imminent execution in Iran for a murder which took place when she was 17 years old. She reportedly attempted to commit suicide in prison in January 2007. Her death sentence was reportedly confirmed by the Supreme Court in February 2007.

According to reports, Delara Darabi and a 19-year-old man named Amir Hossein broke into the house of Delara Darabi's elderly female relative to commit a burglary. Amir Hossein allegedly killed the woman during the burglary. Delara Darabi initially confessed to the murder, but later retracted her confession, saying that she had been asked to admit responsibility for the murder by Amir Hossein who believed that as she was a minor she would not face execution. Amir Hossein was sentenced to 10 years in prison.

➤ Please write, urging the authorities to commute the death sentence imposed on Delara Darabi immediately. Remind the authorities of their commitment to the International Covenant on Civil and Political Rights which states that "sentence of death shall not be imposed for crimes committed by persons below eighteen years of age."

Send appeals to: Ayatollah Sayed 'Ali Khamenei, The Office of the Supreme Leader, Islamic Republic Street - Shahid Keshvar Doust Street, Tehran, Islamic Republic of Iran

E-mail: info@leader.ir and istiftaa@wilayah.org

Salutation: Your Excellency

Yemen

Fatima Hussein al-Badi is at imminent risk of execution; her special appeal is before the President of Yemen. Her brother, Abdullah Hussein al-Badi, who was sentenced to death with her, was executed in May 2005.

She was arrested in July 2000 and sentenced to death for the murder of her husband. Their trial was blatantly unfair.

➤ Please write, calling on the President to commute the death sentence against Fatima Hussein al-Badi. Express concern that she was reportedly convicted after an unfair trial and call for her allegations of torture to be investigated.

Send appeals to: His Excellency General 'Ali 'Abdullah Saleh, President of the Republic of Yemen, Sanaa, Yemen. Fax: +967 127 4147

Salutation: Your Excellency

USA

On 16 July, Troy Davis received a stay of execution, less than 24 hours before it was due to be carried out in Georgia, USA.

He was sentenced to death in 1991 for the murder of a police officer in Savannah, Georgia. Troy Davis has always maintained his innocence and most of the state's witnesses who testified against him at the trial have since recanted or contradicted their testimony, amid allegations that some of it had been made under police duress. The case against him consisted entirely of witness testimony which contained inconsistencies even at the time of the trial.

On 3 August 2007 the Georgia Supreme Court granted an extraordinary appeal and agreed to hear arguments in his case to consider whether the new witness testimony and other evidence discovered since his 1991 trial are such that Troy Davis should be granted a new trial. It will hear the case some time in its November 2007 session.



Troy Davies with his mother Virginia

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JAPAN

Executed in secrecy

On 23 August, three men in their 60s were hanged in Japan. The three – Takezawa Hifumi, Iwamoto Yoshio and Segawa Kousou – had been convicted of murder and sentenced in the 1990s.

At the trial of Takezawa Hifumi, born in 1937, both the prosecution and defence found that he was mentally ill. At his appeal, his lawyer argued that Takezawa Hifumi had apparently suffered a significant personality change as a result of a stroke, which made him paranoid and aggressive. Despite this, the judge rejected the appeal. It is not known whether Takezawa Hifumi had received any medical treatment for his mental illness during his nine years on death row.

Japan has a record of executing prisoners with mental disabilities. The harsh conditions on death row mean that many prisoners held there develop mental illness. Extreme secrecy surrounds the implementation of the death penalty in Japan. Families and lawyers are usually not informed until after the executions and prisoners are often hanged at very short notice. Executions usually coincide with parliamentary recesses or national holidays in order to avoid parliamentary or media scrutiny.

Torture by police remains widespread in Moldova

"It's just normal to be beaten by the police. I thought: 'Well they will beat me and then they will let me go.'" (A victim of police ill-treatment speaking to AI delegates in March 2007.)

Torture and other ill-treatment in police custody in Moldova remain widespread and detainees do not have adequate protection or recourse to justice. AI has detailed its findings in a report to be published later in the year and calls on the government to stand by its assertions that it is willing to eradicate the problem.

Cases researched by AI document the use of torture and other ill-treatment by police officers in order to extract confessions from detainees.

Methods used include mock executions, depriving detainees of oxygen using gas-masks, and beating detainees on the soles of the feet through shoes. Many detainees are deprived of access to legal counsel and medical attention, and are often held for extended periods of time in conditions which have been described by the European Committee for the Prevention of Torture as "disastrous" and in many cases amount to inhuman or degrading treatment.

Sergei Gurgurov was arrested by police from Rîțcani district in Chișinău, the capital of Moldova, on 25 October 2005, accused of stealing a mobile phone. Sergei Gurgurov told his lawyer that police officers tortured him to make him confess to a



Sergei Gurgurov talks to AI at the torture treatment centre of the NGO Memoria

series of such thefts. He was allegedly beaten until he was unconscious and police officers attempted to wake him by giving him electric shocks.

He did not see a lawyer until 3 November, when he was taken to court. Video footage of his arrival at court shows that he was unable to walk unaided and had to be dragged by two policemen. Sergei Gurgurov did not receive adequate medical attention for his injuries until 9 December when he was released on bail. He has been left disabled.

The General Prosecutor's Office began an investigation in November 2005, but

has failed to carry out an effective and independent investigation as required by international standards. The police officers who allegedly tortured Sergei Gurgurov were, as is common, not suspended and have continued to threaten and assault him and his family.

Since gaining independence from the former Soviet Union in August 1991, Moldova's transition to a market economy and democratic society has been troubled and it remains one of the poorest countries in Europe.

The vastly under-resourced police force continues to reward officers for getting cases to court or "solving" a crime regardless of the procedures followed - a situation which can encourage the use of violence by police.

Police impunity adds to the problem. Victims face procedural difficulties in lodging complaints, and police officers are frequently not brought to justice or not convicted. Independent and effective investigations are rare. In addition, the Prosecutor's Office, charged with overseeing criminal investigations, is also responsible for investigating police misconduct, resulting in an inevitable conflict of interests.

In 2003 the UN Committee against Torture recommended that the Moldovan government establish an independent oversight mechanism to deal with complaints against the police.

Europe silent on renditions

European governments take no action despite overwhelming evidence of complicity in illegal secret transfers of prisoners.

European states have aided and abetted the US-led renditions programme. They have allowed or assisted the illegal and secret transfer of people to countries where they faced torture, arbitrary detention and enforced disappearance.

This flies in the face of Europe's commitment to respect human rights and the rule of law.

Evidence of complicity has been documented in inquiries conducted by Senator Dick Marty of the Council of Europe's Parliamentary Assembly, by the Assembly's Secretary General, Terry Davis, and by the European Parliament. These inquiries indicate that a number of European states co-operated with rendition flights and that dozens of terror suspects were held in secret US-run detention centres in Poland and Romania. Further information unearthed by AI, other NGOs and journalists has strengthened the case that European states have been partners in crime with the USA in the "war on terror".

Regardless of the evidence, governments in Europe, including Poland and Romania, continue to deny their involvement in renditions. Some, including the Italian and German governments, are undermining judicial and parliamentary inquiries. The behaviour of individual governments is unacceptable.

Even more shocking is the failure of Europe's highest decision-making bodies to speak out, let alone take action, in the face of blatant illegality. Both the Committee of Ministers of the Council of Europe and the Council of the European Union have failed to condemn renditions, secret detentions, and the complicity of European governments in these human rights violations. The Committee of Ministers has yet to take any action in response to the recommendations of the Parliamentary Assembly and the proposals of the Secretary General. These recommendations are aimed at investigating what has happened, establishing accountability and ensuring that it never happens again. Such inaction is scandalous. It is a betrayal of the founding principles of the Council of Europe.

AI is calling on the Committee of Ministers of the Council of Europe to stop ignoring this critical issue. In particular, we are asking our members and supporters to send the following appeal to the Chair of the Committee of Ministers, in the belief that steps at this level would be a catalyst, encouraging member states to prevent renditions.

Please call on the Committee of Ministers to
 ⇨ Publicly condemn rendition and secret detention
 ⇨ Agree to draft standards, including those recommended by the Secretary General, to prevent rendition and secret detention and to ensure accountability for complicity in these practices.

Serbia holds the Chair of the Council of Europe Committee of Ministers until November 2007. So please send appeals to:

Vuk Jeremic
 Minister of Foreign Affairs, Republic of Serbia
 Chairperson, Committee of Ministers of the Council of Europe
 Ministry of Foreign Affairs
 24-26 Kneza Milosa St.
 11000 Belgrade, Serbia
 Fax: +381 11 3618-366
 Email: msp@smip.sv.gov.yu

AI face to face

Freshta Raper, an Iraqi Kurd, was tortured in the mid-1980s for hiding two 16-year-olds in a school where she was a teacher. During the chemical weapons attacks on her home town of Halabja she lost 21 members of her family. Ruth Ojiambo Ochieng from Uganda runs a women's organization and has co-produced documentaries about African women affected by war. She has worked for over a decade to empower women, to have their human rights recognized, and for gender equality.

These two women were just two of the powerful activists and human rights defenders who shared their stories with delegates at Amnesty International's biennial International Council Meeting (ICM) in Morelos, Mexico, this August. Hundreds of members came together from around the world - from Burkina Faso to Japan, from Mexico to Norway and Tunisia - to share experiences, to debate globalization, poverty, inequality, and work together to build on and develop AI's influence in the developing world.

The ICM coincided with the third anniversary of the execution of Atefeh Rajabi Sahaaleh, a 16-year-old girl hanged in Iran for "crimes against chastity". In memory of this the delegates took a symbolic action against the execution of children in Iran, as one of a series of actions over the course of the ICM. Delegates stamped their dreams of an "Olympics Legacy" of human rights in China on specially produced banners, for example. These will be part of a global campaign up to the Beijing Olympics in 2008.

AI's Secretary General Irene Khan visited the site of the proposed hydroelectric dam at La Parota, Mexico, and highlighted how human rights were at risk in the project. She also led a delegation to meet government officials, where AI raised its concerns over human rights violations during repression of protests in Oaxaca City.



Children survive by selling refuse from the municipal dump, La Chureca, Nicaragua

International Poverty Day 17 October

Amnesty International is marking The International Day for the Eradication of Poverty (Poverty Day) on 17 October by raising the profile of its work on economic, social and cultural rights in advance of the launch of a global campaign on poverty and human rights.

Since its inauguration in 1987, millions of people from all parts of the world, including NGO coalitions, civil society organizations and people living in poverty have mobilized on Poverty Day to raise their voices and demand action from governments and policy makers.

The day is an opportunity to engage with others, build up networks and partnerships and to start making AI's work on economic, social and cultural rights and its contribution to the fight against poverty more visible.

As Nelson Mandela has said, "overcoming poverty is not a gesture of charity. It is an act of justice. It is the protection of a fundamental human right, the right to dignity and a decent life."

AI's campaign will underline how poverty is driven by human rights violations and perpetuates further abuses, including those which have long been at the core of our mission.

On 17 October, AI sections across the world are collaborating with NGOs such as ATD Fourth-World and members of the Global Call for Action Against Poverty (GCAP). In London, AIUK and the International Secretariat will screen *Drowned Out*, a film about the construction of large dams on the River Narmada in central India and its impact on people living in the river valley. The film will be followed by a letter-writing action on human rights concerns around the construction of the hydroelectric dam in La Parota in Mexico's Guerrero State.

We will highlight other AI sections' actions and activities around Poverty Day in the December issue of *the Wire*. Please send information and photos of activities to escrteam@amnesty.org

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