

The Wire

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Poor and HIV-positive in the Dominican Republic

“I don’t have the money or the strength to go to the capital where I might get help,” says Rita who is HIV-positive and seriously ill. “When the fever, the headache and the diarrhoea hit me, I get scared and I think I am going to die.”

For fear of rejection, Rita hasn’t told her family that she is HIV-positive, and the doctor has nothing to offer her but vitamin pills.

The countryside is green and fertile all the way to Rita’s batey – community of workers on the sugar cane plantations – where AI delegates met her in January. But two hours’ drive from the capital, Santo Domingo, the batey lacks clean water, work and often hope for the future.

Rita’s story illustrates the Dominican Republic’s failure to fulfil its human rights obligation to ensure access to health care and treatment for people living with HIV/AIDS.

The international community spends millions of dollars on supporting the prevention and treatment of HIV/AIDS in the Dominican Republic, yet the authorities often fail in their efforts to organize help. It does not reach the people who need it the most.

Next to a busy road on the outskirts of Santo Domingo, Felicia shows AI delegates the office of REDOVIH, a support group for people living with HIV. She is one of the few who has dared to speak openly about her HIV status.

Felicia was working in the public transport company in Santo Domingo when the company made all their workers take a blood test. She was not told what it was for. Before she understood what was going on, her boss and colleagues knew that she was HIV-positive. She lost her job.

“I didn’t realize that they had forced me to take an HIV test. And it was a shock to learn that I was positive. Being fired was of course another shock,” Felicia says. But she chose to fight back. “I... tried to file a suit against the company. The company fired 20 people after this test.”

Six women visiting the support group that day all told the same story: compulsory HIV tests at work and before getting a job; no confidentiality about the tests and the results; if the test is positive you are fired.

HIV-positive people from other towns reportedly had similar experiences, suggesting that discrimination in the labour market is common.

In the resort town of Boca Chica, wealthy tourists enjoy a relaxing holiday while just a few minutes away, Marlene, aged 25 and a mother of eight, lies sick in the hospital. She has lived and worked in Boca Chica all her life. AI visited her abandoned home: a shack with a leaking tin roof and a ragged mattress. She had been found half dead from starvation and illness. She was taken to hospital, dehydrated and unable to care for her three-year-old child who was left naked, sick and alone. The hospital confirmed that she was HIV-positive and sick, but gave her no treatment. Nobody took care of her child.

She was spotted by Adonis, a volunteer working with HIV/AIDS patients at the hospital in Boca Chica. "At the public hospitals in this country there is widespread discrimination against people living with HIV. The doctors often refuse to treat us because they are scared," he says.

The Medical Association confirms that many doctors refuse to treat HIV-positive patients. Without access to sterile gloves, running water and routines for dealing with accidents, they run a high risk of being infected when treating HIV-positive people. In the private medical sector this is not a problem.

Adonis brought Marlene's child home to his own wife and two children who live in a slum area outside Boca Chica. To save Marlene's life, Adonis, who is also HIV-positive, is working to raise her case with people who can help.

Adonis involves the media in his work and participates in debates on HIV/AIDS. But many people dislike his plainspoken and openly critical focus on AIDS right in the middle of the tourist resort of Boca Chica. "I receive frequent death threats over the phone," he says, "and I have been followed by unregistered cars at night."

AI is campaigning to protect activists like Adonis so that they can keep working to protect the rights and dignity of people living with HIV/AIDS, and to ensure that all who need it have access to the healthcare and medicines they require.

Turkey quashes right to free expression

"The charges against me are ludicrous," said Baskin Oran, former member of the Human Rights Advisory Board (HRAB) for the Turkish Prime Minister's office. "My freedom of expression is being ambushed for strategic reasons."

Baskin Oran, along with former HRAB chair Ibrahim Kaboglu, was prosecuted for his report on minority and cultural rights. In it he referred to "people from Turkey" rather than "Turks", thus allegedly "denigrating Turkishness" – an offence under Article 301 of the Turkish Penal Code. The charge has been suspended, but the two are still charged with "inciting ethnic enmity".

Article 301 achieved international notoriety when it was invoked against novelist Orhan Pamuk for comments made during an interview with a Swiss newspaper in February 2005. "Thirty thousand Kurds and a million Armenians were murdered," he stated in the interview. "Hardly anyone dares mention it, so I do. And that's why I'm hated." Orhan Pamuk was charged under the earlier Article 159 which was replaced

by Article 301 in June 2005. The case made headlines across the world. It was thrown out of court in January on a legal technicality.

But the failure of Orhan Pamuk's case is small consolation for the many individuals who currently face similar charges. Article 301 has been used to prosecute anyone – journalist, artist, student or lawyer – who expresses a view that can be construed as “denigrating Turkishness”, including criticism of state institutions or public officials. The result is a climate of repression in which people daring to express their views risk serious legal repercussions.

Journalists Murat Belge, Ismet Berkan, Hasan Cemal, Erol Katircioglu and Haluk Sahin have all faced charges under Article 301 in relation to newspaper articles they wrote about a judicial decision to ban a conference on the situation of Armenians during the Ottoman Empire. They each reportedly faced prison terms of between six months and 10 years under Article 301. While charges against four of them have been dropped, again on a technicality, Murat Belge's case continues.

The frequency with which Article 301 is being used and the arbitrary nature of its application represent a real threat to freedom of speech in Turkey. Individuals are being harassed and threatened with imprisonment simply for speaking or writing about aspects of Turkish history or culture that do not conform to an imposed nationalist ideal.

This runs counter to Turkey's obligations under the International Covenant on Civil and Political Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms, both of which it has ratified. If Turkey is to fulfil its legal obligations – and promote a healthy civil society in which ideas can be freely expressed and debated – then it must immediately end prosecutions under Article 301, abolishing it without delay.

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No place like home

‘Internally displaced persons are often intentionally uprooted by their governments on ethnic, religious or political grounds. In civil wars... [they] are often perceived as the enemy... [M]illions more have been uprooted within their own countries by natural disasters.’ The State of the World's Refugees 2006 , Office of the UN High Commissioner for Refugees

ANGOLA

Some 600 families in the Angolan capital, Luanda, were forcibly evicted in March when state forces swept into their neighbourhoods and destroyed their homes. Police and private security guards reportedly shot at, beat and kicked residents, including a pregnant woman and a woman carrying a baby on her back. A youth was beaten by seven police officers and a private security guard. A boy of about six was shot in the knee.

During the 27-year-long civil war in Angola, hundreds of thousands of people were displaced by the conflict, fleeing to Luanda where they established informal settlements. But four years after the war ended, demand for land in Luanda for private

and public development has increased. Thousands of poor families in these settlements are being made to give up their homes to make way for more powerful interests.

Since September 2004 the residents of four neighbourhoods in the Luanda municipality of Kilamba Kiaxi have lived under the constant shadow of repeated forced evictions and the recurrent demolition of their dwellings. The land where these neighbourhoods – Cambamba I, Cambamba II, Banga Wé and 28 de Agosto – are sited was apparently granted to the Nova Vida (New Life) housing project without prior consultation with residents or due legal process. This plunged them into a brutal cycle of forced evictions and other grave human rights violations.

Forced evictions in these areas started on 28 September 2004 when, without notice, heavily armed members of the Angolan National Police demolished an estimated 148 houses in Cambamba I and 192 houses in Banga Wé. A total of 1,180 families were left without shelter.

The Luanda provincial government reportedly said that the houses had been randomly and illegally built on land designated by the provincial government for private housing and development projects. This is not a valid reason for evicting people without consultation or due process and without access to alternative accommodation.

The residents attempted to pick up the pieces of their devastated lives and re-built shelters from the rubble. However, in September 2005 armed police returned and tore down most of the homes in Cambamba I and II, and Banga Wé once again without an eviction order or assurance of alternative accommodation or compensation. As before, many refused to leave and rebuilt basic zinc shelters where their homes had stood.

Between November and December 2005, over 1,000 families were forcibly evicted and had their homes demolished.

Contrary to its international obligations, the government has systematically violated the right of the people to a home, a family and a life free from arbitrary arrest and ill-treatment. Having nowhere else to go, these communities have no choice but to live in the ruins of their homes.

SUDAN

Almost two million people in the Sudanese capital, Khartoum, are homeless. They are either living in official camps or unofficial “squatter areas”. According to the UN, the vast majority have no access to minimum basic services. These people are known as Internally Displaced Persons (IDPs), and most fled armed conflict or natural disasters.

Most of Khartoum’s IDPs are from southern Sudan while an increasing number are fleeing internal armed conflict in Darfur, in the west of the country. Others have fled natural disasters such as drought. The government’s current re-planning exercise has included widespread and systematic mass forced evictions and relocations from informal settlements and IDP camps to desert areas tens of kilometres outside Khartoum. There is little or no consultation with those affected.

Forced evictions generally occur in the early morning with no prior announcement. Security forces arrive with lorries to collect the people and their possessions. Bulldozers demolish the old settlements. Residents who resist are usually beaten or intimidated. The government justifies its actions saying that giving prior notice will attract non-residents hoping to secure a plot of land during the forced relocation.

An attempted mass forced eviction at the Soba Aradi camp, near Khartoum, in May 2005 resulted in violence, raising international concern about the relocation process. This led to the formation of the Consultative Committee composed of representatives from the UN, non-governmental organizations (NGOs) and the Governor's Office. In a meeting in July 2005, the Committee agreed eight key guidelines to be followed to ensure that future relocations of IDPs meet Sudan's national and international legal obligations. The forced relocations ceased.

However, in August 2005, violence erupted following the death of Vice President and former leader of the Sudan People's Liberation Army, John Garang, in a helicopter crash. More than 130 people were killed and some 1,500 people were arrested. Following these events, forced relocations resumed in and around Khartoum. Security forces demolished the Shikan IDP camp and evicted the residents. Most of them were forcibly relocated to the desert area known as Al Fateh III.

With the signing of the Comprehensive Peace Agreement in January 2005, ending the civil war, many of the IDPs from southern Sudan are considering returning home. One man in Al Fateh III told AI, "I would go tomorrow if someone gave me the money." When asked about the conditions in the south, such as the lack of infrastructure and continued instability, he replied: "I don't care about any of this. This is no life here. Nothing can be worse than this."

AI will shortly be publishing a report on forced evictions and IDPs in Sudan.

SRI LANKA

For many in Sri Lanka, home is a concept that has lost its meaning. Uprooted from their communities by conflict, natural disaster or both, people have found themselves trapped in a cycle of displacement, often with no end in sight.

Muttiah Canagaratnam and his family fled their home in Kilinochchi, northern Sri Lanka, in 1985 during intensified armed conflict between state security forces and Tamil armed groups seeking a separate state in the north and east of the island. The family had to walk over 100 kilometres south to Mannar from where they took a boat to India. After three years in an Indian refugee camp, they returned to Sri Lanka.

As violence escalated in the north, however, the family were forced to move again in 1990. Fleeing to India via the same route, they remained in a refugee camp there for two years before returning, this time to the coastal town of Trincomalee. From there they were brought to the Sithamparapuram welfare centre in Vavuniya, north-eastern Sri Lanka, where they have remained. With promises of land failing to materialize, Muttiah Canagaratnam told AI that he has lost hope. Despite 20 years in transit, the family continue to be denied any possibility of a permanent home.

According to 2002 estimates, there were about 800,000 Internally Displaced Persons (IDPs) in Sri Lanka. Many of them suffered multiple displacements as a result of conflict, only to find their situation exacerbated by the 2004 tsunami.

The first conflict-related displacements followed the anti-Tamil riots of 1983, after which over 100,000 Tamils fled to India and other countries overseas. Throughout the mid-1980s the fighting between Tamil armed groups, including the Liberation Tigers of Tamil Eelam (LTTE), and the Sri Lankan security forces continued to force significant numbers of people from their homes.

However, levels of displacement escalated dramatically when the Indian Peacekeeping Force (IPKF) withdrew from the island and hostilities resumed in 1990, prompting thousands of people to escape the resulting violence. While the majority of those displaced were Tamils, in October 1990 over 70,000 Muslims were driven out of the north by the LTTE. They were given just a matter of hours to leave their homes.

In some cases, families were told by the LTTE to leave for their own protection. Salma Abubakar left her home in Ampara, eastern Sri Lanka, under such circumstances. When fighting broke out between the LTTE and IPKF, she and her fellow villagers were told to leave the village to save their lives. The entire village abandoned their possessions overnight. In 2002 she returned to her land where she built herself a small thatched hut. She was making a living from odd jobs, including agricultural work, when the tsunami hit in 2004, destroying her livelihood.

The Sri Lankan government's reaction to the IDP situation has been insufficient. Its weaker response to the plight of those affected in the island's north and east has served to prolong suffering and uncertainty. In addition, continued use of land for military and armed operations means that many IDPs still cannot return to their homelands. Until real effort is made to end the ongoing conflict in Sri Lanka, people like Muttiah Canagaratnam face a lifetime of dislocation.

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Worldwide appeals

INDONESIA

Trade union leaders imprisoned

Six union leaders – Robin Kimbi, Masri Sebayang, Suyahman, Safrudin, Akhen Pane and Sruhas Towo – were sentenced to prison terms of between 14 months and two years in February and March. They appear to have been charged because of their legitimate trade union activities.

The men were arrested following a strike and demonstration at a palm oil plantation owned by the company, Musim Mas, in Riau province, in September 2005. The strike followed the company's refusal to negotiate with the union, SP Kahuntindo. Issues in dispute included the implementation of minimum standards guaranteed to workers under national legislation. During the strike the factory gate was pushed down, injuring two company employees.

Five of the men were arrested on the day of the demonstration on the basis of a report submitted to police by the personnel manager of the company. Sruhas Towo was arrested a month later on 18 October.

The six men were charged and sentenced with “openly committing violence against persons or property” but there is no indication that they were involved in any violence. At no point during the trial did the prosecutors attempt to prove, or the judges find, that they came into contact with the factory gate.

There were almost 1,000 union members at the demonstration. The singling out of these six men by the company, and their subsequent prosecution, suggest that they were targeted because of their role as union leaders.

AI is concerned that the charges against the men may have been politically motivated and that the damage which occurred during the strike action was used by Musim Mas and the local authorities as an excuse to weaken the union.

Please write, expressing concern that the charges against the six men named above may have been politically motivated and that they may have been imprisoned solely for exercising their legitimate right to take part in trade union activity. Call for their cases to be reviewed, and for the men to be immediately released if no direct evidence is found linking them to the damage done to the factory gate on 14 September 2005.

Send appeals to: President Susilo Bambang Yudhoyono, President RI, Istana Merdeka, Jakarta 10110, Indonesia.

Fax: +62 21 345 2685/526 8726/345 7782

USA

Teenager faces trial by military commission

Omar Khadr, a Canadian citizen, was taken into US custody in Afghanistan in July 2002 when he was 15 years old. During his capture he was shot three times and is now believed to be nearly blind in one eye. He is accused of killing a US soldier during a battle.

Omar Khadr says that, despite his serious injuries, he was denied pain medication and was ill-treated during interrogations in Bagram airbase, Afghanistan. In October 2002 he was transferred to Guantánamo Bay, Cuba, where he says he was tortured. He says that he was short-shackled by his hands and feet to a bolt in the floor and left for hours. He was lifted up by the neck while shackled, and then dropped to the floor. He also says he was threatened with rape and with transfer to Afghanistan, Jordan and other places where he understood he would be tortured.

For some of the time he was held in the notorious Camp V in Guantánamo – which is reserved for “high value” or “unco-operative” detainees. He said that the lights were kept on 24 hours a day; the air-conditioning was kept on cold; he was routinely placed in isolation, sometimes for up to a month and was only allowed exercise once every four or five days.

Omar Khadr is facing trial by military commission. Prior to the pre-hearings, in March and April, Omar Khadr was again placed in isolation in Camp V. He boycotted

the hearings, claiming that he was being treated inhumanely even though he had initially been co-operating with the commission process.

AI is concerned that Omar Khadr faces an unfair trial in these fatally flawed commissions – for acts allegedly committed when he was a child – and that throughout his detention his rights to special care and protection as a child have been violated.

See back page for more information.

Please write to the US authorities, calling for Omar Khadr to be given a fair trial in accordance with international standards or released. Call for an independent investigation into his allegations of torture and ill-treatment while in US custody. Call for military commissions to be abandoned and the detention facility at Guantánamo Bay to be closed.

Send appeals to: Alberto Gonzales, Attorney General, US Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530-0001, USA.
Fax: +1 202 307 6777. Email: AskDOJ@usdoj.gov

RUSSIA

Unfair trial and health concerns

Mikhail Trepashkin, a lawyer and former security service officer, was convicted in May 2004 of revealing state secrets and illegally possessing ammunition. He was sentenced to four years' imprisonment in a prison colony following a criminal investigation and trial that appeared to be politically motivated and fell short of international standards.

Human rights groups in Russia believe that the case against Mikhail Trepashkin was fabricated in order to halt his investigative work into the 1999 apartment bombings in Russia. He had been working as a consultant to the independent commission set up to investigate the bombings. In particular, he was investigating allegations of security service complicity in the bombings – which had officially been attributed to Chechen separatists.

Mikhail Trepashkin was released from prison colony IK-13 on parole on 30 August 2005. On arrival home in Moscow he announced he would continue his investigative work. Shortly afterwards, on 18 September, law enforcement officials re-detained him in contravention of domestic procedures. He was eventually transferred back to IK-13 to continue to serve his sentence.

AI is concerned that Mikhail Trepashkin is not receiving the urgent medical treatment he needs for his bronchial asthma. Moreover, the authorities appear to be pressuring him to withdraw his complaints regarding his criminal conviction and treatment. He was repeatedly placed in an inadequately heated punishment cell for days at a time when outside temperatures were sub-zero, and he has been threatened with transfer to a strict regime colony.

Please write, calling for Mikhail Trepashkin to be released pending a thorough and impartial review of his case in accordance with international standards for fair trial. Call for him to be given adequate medical treatment immediately.

Send appeals to: Procurator General Vladimir Ustinov, General Procuracy of the Russian Federation, Ul. B. Dimitrovka 15a, 103793 Moscow K-31, Russian Federation. Fax: +7 495 692 1725

TUNISIA

Ill-treatment in detention

Mohammed Abbou, a Tunisian lawyer and human rights defender, was sentenced in April 2005, after an unfair trial, to three and a half years in prison, largely for publishing two Internet articles critical of the Tunisian authorities and denouncing torture in Tunisia. His sentence was confirmed on appeal in June 2005. He is imprisoned in the town of El-Kef, approximately 200 kilometres from his family home in the capital, Tunis, making visits by his family difficult.

Since his detention in March 2005 he has undertaken several hunger strikes in protest at his conditions of detention. The conditions have deteriorated further following a demonstration in support of his case outside the prison at the beginning of March 2006. On more than one occasion he has been woken in the middle of the night to have his cell searched by prison guards. Following a request to change his cell, which he shared with ordinary criminal prisoners, he was reportedly beaten up by prison guards and his mattress was removed. He is now forced to sleep on an iron bedstead. He has also been harassed by other prisoners, seemingly at the instigation of the prison authorities.

Mohamed Abbou started another hunger strike on 11 March 2006 to protest against his continued detention and harassment by prison administration at El-Kef prison.

In November 2005, the UN Working Group on Arbitrary Detention concluded that Mohammed Abbou's detention was indeed arbitrary and in violation of Article 19 of the Universal Declaration of Human Rights and Article 19 of the International Covenant on Civil and Political Rights which guarantee the right to freedom of expression.

Please write, calling for the immediate and unconditional release of prisoner of conscience Mohammed Abbou.

Send appeals to: M. Béchir Tekkari, Ministère de la Justice et de Droits de l'Homme, 31 Boulevard Bab Benat, 1006 Tunis - La Kasbah, Tunisia.
Fax: +216 71 568 106. E-mail: mju@ministeres.tn

UPDATES

Morocco/Western Sahara

H'mad Hammad, Houssein Lidri, Larbi Messaoud, Mohamed El-Moutaouakil and Brahim Noumria were released following a royal pardon in March. They thanked all those who had campaigned on their behalf, saying that they believed that AI's work contributed to their release.

Despite this good news, AI remains concerned at recent arrests of Sahrawi activists and in particular continues to call for the release of Sahrawi human rights defenders Ali-Salem Tamek and Brahim Dahane who remain in detention. See Worldwide Appeal March 2006.

Libya

Some 130 political prisoners, including prisoners of conscience, were released in March. AI welcomes this important step towards improving the human rights situation in Libya. Those released include at least 85 members of the Libyan Islamic Group (also known as the Muslim Brothers), many of whom had been held since June 1998.

Also released was Abdurrazig al-Mansouri, a writer and journalist who was sentenced to 18 months' imprisonment in October 2005 after he published articles about human rights in Libya on the Akhbar Libya website. However, AI continues to call for the immediate release of prisoner of conscience Fathi el-Jahmi, detained without trial since March 2004 after criticizing Colonel Mu'ammarr al-Gaddafi and calling for political reform. See Worldwide Appeal November 2005.

Tunisia

AI welcomes the recent release of more than 80 political prisoners in Tunisia but remains concerned that some 200 other political prisoners, including possible prisoners of conscience, continue to be held serving sentences imposed after unfair trials.

Some of those released had been imprisoned for more than 10 years because of their membership of Ennahda, an Islamist organization that is banned in Tunisia. Most of the Ennahda prisoners were arrested, tortured and sentenced to long prison terms after unfair trials in 1992. Many were subjected to harsh prison conditions, including prolonged solitary confinement and ill-treatment. Several of those who were sentenced to life imprisonment still remain in detention.

Democratic Republic of Congo

AI welcomes the arrest of Thomas Lubanga and his transfer to the International Criminal Court (ICC). He has been charged with committing war crimes and conscripting children under the age of 15. The arrest heralds a new chapter in the fight against impunity. However, AI still believes that more needs to be done, both by the government and the ICC, to combat human rights violations in the country.

Sierra Leone

Former president of Liberia Charles Taylor "escaped" in March from Nigeria, where he had been granted asylum. He was arrested on the Cameroon border and surrendered to stand trial before the Special Court of Sierra Leone for war crimes and crimes against humanity. On 3 April he pleaded not guilty. The UN Security Council is considering a request by the Special Court of Sierra Leone for the case to be transferred outside Sierra Leone to the ICC facilities in The Hague, the Netherlands,

for security reasons. For further details see: Special Court for Sierra Leone: Issues for consideration regarding the location of the trial of Charles Taylor (AFR 51/005/2006).

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Guantánamo military commission hearings

US authorities are pushing ahead with military commission hearings at Guantánamo Bay, Cuba, despite a pending Supreme Court decision on their legality. AI considers that all military commission proceedings at Guantánamo should be abolished as they violate international standards for fair trial.

Arguments in the case of Salim Ahmed Hamdan regarding the legality of trials before military commissions at Guantánamo began in the US Supreme Court in March. AI believes that the Supreme Court faces an enormous responsibility in this case, which raises fundamental principles of fair trial, constitutionality and equality before the law.

Four days before the Supreme Court began hearing the challenge, the US government ordered that statements obtained under torture would be banned from the proceedings. AI fears that such a ban could be meaningless given the US administration's limited definition of what constitutes torture.

Ten Guantánamo detainees have been charged by US authorities and are facing trials by military commissions. AI is deeply concerned that pre-trial hearings are continuing despite the serious flaws inherent in the procedures. In addition to the possible admission of evidence obtained under torture or other ill-treatment, they severely limit the right of appeal and restrict the right to a lawyer of one's choice. Despite the flaws inherent in the military commissions, they have the right to impose the death penalty. An AI representative has been attending the pre-trial hearings.

Among the detainees who appeared before the commission tribunal during April for pre-trial hearings were Omar Khadr, a Canadian citizen who was aged only 15 when taken into US custody in Afghanistan, and Binyam Mohammad, who was secretly and illegally transferred to states known to use torture, a practice known as "rendition". Both allege that they have been subjected to torture and other ill-treatment while in US custody. (See Worldwide Appeal page 3.)

Binyam Mohammad was arrested in Pakistan and is believed to have been transferred to Morocco before being sent to Afghanistan and ultimately to Guantánamo. In Morocco he alleges that he was severely tortured, including having his genitals cut with a razor blade. On the first day of pre-trial hearings in his case, he entered the room wearing shackles. According to his military lawyer this was his choice. Facing the public for the first time after four years of unlawful transfers, torture and confinement, he wanted to be seen as he has been kept – in chains.

Binyam Mohammad, like all those held at Guantánamo, deserves to have a fair trial in full accordance with international law. Instead he is being subjected to sham military commission procedures. The US government should now take this opportunity to show its commitment to international human rights standards and abolish trials by military commission.

Four released in Yemen

AI welcomes the release from detention in Yemen of Walid Muhammad Shahir Muhammad al-Qadasi, Muhammad Faraj Ahmed Bashmilah, Salah Nasser Salim ‘Ali Qaru and Muhammad Abdullah Salah al-Assad in March. The men, speaking to AI, thanked AI members for all their support and work on their behalf. AI campaigned for their release.

Muhammad al-Assad, Muhammad Bashmillah and Salah Qaru “disappeared” and were held in secret detention, apparently at the request of the USA, for more than 18 months before being returned to Yemen in May 2005, where they were held until their release. Walid al-Qadasi, a former Guantánamo detainee, had been detained without charge since his return to Yemen in April 2004.

See the Wire August 2005 and December 2005 and USA: Below the radar – Secret flights to torture and ‘disappearance’ (AMR 51/051/2006).

War is not child’s play

Russian Federation must ratify child soldier Protocol

Every year thousands of children continue to fight and die in wars around the world, and many thousands more are left physically and emotionally scarred for life.

On 25 May 2000, the UN General Assembly adopted by consensus the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. This represents a milestone in protecting children from participation in armed conflicts.

As of 12 April 2006, 107 states were parties to the Protocol including three (France, UK and USA) of the five permanent members of the Security Council but not the Russian Federation and China.

The Russian Federation signed the Protocol on 15 February 2001 and has supported numerous Security Council resolutions urging states to ratify it. However, despite these positive actions the Russian Federation has yet to ratify it and to incorporate its provision into national law.

To mark the sixth anniversary of the Protocol’s adoption, AI, together with the Coalition to Stop the Use of Child Soldiers, is calling on the Russian Federation to ratify it without any further delay. At the time of ratification the country should make a binding declaration setting 18 years as the standard minimum age for voluntary recruitment into its armed forces.

To join AI’s action encouraging the Russian Federation to ratify the Protocol, go to www.amnesty.org/childsoldiers

Recent Documents

Death sentences and executions in 2005 (ACT 50/002/2006)

At least 2,148 people were executed in 22 countries and a further 5,186 people were sentenced to death in 53 countries in 2005, according to AI's records. However, the true figure is certainly higher. The vast majority of executions were carried out in a tiny handful of countries. Ninety four per cent of all known executions took place in China, Iran, Saudi Arabia and the USA.

Based on public reports alone, AI recorded at least 1,770 executions in China. Iran executed at least 94 people, and Saudi Arabia at least 86. There were 60 executions in the USA.

Iran was the only country known to AI to have executed juvenile offenders. At least eight people were executed for crimes committed when they were children, including two who were still under 18 at the time of their execution. The USA banned the execution of juvenile offenders in March 2005, having previously been a "world leader" in the practice.

See also Death penalty developments in 2005 (ACT 50/005/2006).

Nurses at risk

Five Bulgarian nurses and a Palestinian doctor were sentenced to death by firing squad by a Libyan court in May 2004. They had been convicted of deliberately infecting 426 children with HIV in the al-Fateh Children's Hospital, Benghazi. A sixth Bulgarian defendant was sentenced to four years' imprisonment and nine Libyan defendants were acquitted. The health professionals have been held in custody since 1999. Following an appeal court ruling on 25 December 2005, they are currently awaiting a retrial scheduled for 11 May.

Nurses and midwives increasingly face impediments to safeguarding the wellbeing of their patients. These challenges range from encountering ethical issues in daily practice through to nursing in areas of conflict and tension. Nurses working in areas of conflict risk being victimized as a result of having witnessed abuses or having treated individuals identified as opponents by the authorities. Nurses may be pressured to collaborate or collude in abuses occurring in their presence or with their knowledge.

The trial of the Bulgarian nurses arrested in Libya provoked widespread concern among health professionals and human rights organizations. AIDS experts who testified at their trial blamed the HIV outbreak on poor hygiene and the re-use of syringes in hospital. Professor Luc Montagnier (who co-discovered HIV) presented a report to the court showing that the infection had started before the defendants began working at the hospital, and spread after they stopped working there. The health professionals had initially "confessed" to the crime, but later retracted these statements, claiming they were extracted under torture.

Eight members of the security forces, a doctor and a translator were tried for committing the alleged torture, and then acquitted in June 2005. The health professionals appealed against the verdict. Libya's Supreme Court overturned the death sentences in December 2005 and ordered a retrial. Later that month Bulgaria,

Libya, USA, UK and the European Union agreed to establish a fund to support families in Benghazi affected by HIV/AIDS and assist in hospital modernization.

In June, AI will publish a report discussing the human rights challenges and opportunities which nurses and midwives encounter in their profession. The report examines the role of nurses and midwives in defending and promoting human rights, and argues for a stronger role for the nursing profession in the defence of patients under threat. It also examines the risks of human rights violations faced by nurses and midwives, including violence in the workplace. It suggests that there is a need for constant monitoring by professional associations and human rights groups of pressures on nurses to engage in unethical behaviour.