
AMNESTY INTERNATIONAL HEALTH PROFESSIONAL NETWORK
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-----RECENT AI STATEMENTS & REPORTS

USA. Lost in the Labyrinth: Detention of Asylum Seekers [AI Index: AMR 51/51/99, 29 September 1999]. In this new report, Amnesty International exposes the often inhuman conditions in which asylum seekers in the USA are detained, and accuses the US authorities of using detention as a disproportionate and harsh measure. The full report is available at <http://www.amnesty.org/ailib/aipub/1999/AMR/25105199.htm> . A summary version [AI Index: AMR 51/115/99] is available at <http://www.amnesty.org/ailib/aipub/1999/AMR/25111599.htm>

USA. Race, Rights and Police Brutality [AI Index: AMR 51/150/99, 21 September 1999]. This new report shows that over-aggressive tactics, including unjustified police shootings, excessive use of force, and misuse of police dogs and harassment, continue across the USA with alarming regularity despite recent federal and local initiatives to combat police brutality. Ethnic and other groups - like the mentally ill, homeless, gay or transgendered individuals -- are particularly affected. The full report is available at <http://www.amnesty.org/ailib/aipub/1999/AMR/25115099.htm> ; for the related news service [AI Index: AMR 51/151/99] see <http://www.amnesty.org/news/1999/25115199.htm>

Pakistan. Honour Killings of Girls and Women [AI Index: ASA 33/18/99, 22 September 1999]. Every year hundreds of women are known to die in Pakistan as a result of honour killings. Many more cases go unreported. Police rarely prosecute the killers, and threats are compounded by state indifference to and complicity in women's oppression. Although honour killings are committed by private actors, the systematic failure by the state to prevent and to investigate the killings and to punish perpetrators leads to international responsibility of the state. This new Amnesty International report is available online at <http://www.amnesty.org/ailib/aipub/1999/ASA/33301899.htm> ; for the news service [AI Index: ASA 33/20/99] see <http://www.amnesty.org/news/1999/33302099.htm>

Brazil. 7th Anniversary of Carandiru Massacre: Contempt and Neglect for 111 Lives [AI Index: AMR 19/25/99, 1 October 1999]. In a news service issued today, Amnesty International said the appalling delay in bringing those responsible for the Carandiru massacre, in which 111 prisoners died in early October 1992 in Latin America's largest prison in Sao Paulo state, underscored the contempt and neglect in which prisoners are held in Brazil. See <http://www.amnesty.org/news/1999/21902599.htm> ; for a June 1999 AI report on human rights violations against detainees in Brazil ["No One Here Sleeps Safely", AI Index: AMR 19/09/99] see <http://www.amnesty.org/ailib/aipub/1999/AMR/21900999.htm>

-----SYMPOSIUM ON TORTURE CONCLUDES IN DELHI

The VIII International Symposium on Torture, which was jointly organized by the National Human Rights Commission [NHRC] of India and the Danish International Council for the Rehabilitation of Torture Victims [IRCT], took place in Delhi from 22-25 September 1999. The meeting endorsed the recently issued "Istanbul Protocol" [see below] at its first plenary session [see http://www.irct.org/Symposium99/pressmaterial.htm#PressRelease2309_2] and adopted a "Declaration and Programme of Action on Freedom from Torture" on its last day [see <http://www.irct.org/Symposium99/hotnews.htm#DelhiDeclaration>]. For more links and information about the meeting, see <http://www.irct.org/Symposium99/contents.htm>

-----ISTANBUL PROTOCOL ABOUT TO GO ONLINE

The Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment [also known as Istanbul Protocol] which was issued following an expert meeting in Geneva in August 1999 [see AI Bulletin No. 17, 20 August 1999], will soon be available online at <http://www.phrusa.org/new/istanbul.html> . For an article on the

Protocol in the Lancet of 25 September 1999, see
http://www.thelancet.com/newlancet/sub/issues/vol354no9184/body.news_hhr1117.html
[available to registered users only]

-----UK INVESTIGATION INTO CS GAS

The UK Home Office on 23 September 1999 welcomed the findings of an independent report by the Committee on Toxicity which concluded that "the available data did not, in general, raise concerns regarding the health effects of CS spray itself". However, the report noted that "no comprehensive investigation of the effects of CS spray in humans was available, nor has there been any systematic follow-up of individuals who have been sprayed with CS spray". Copies of the report are available from the Department of Health Press Office or can be downloaded from the Department's website at <http://www.doh.gov.uk/cot/csgas.htm> ; a Home Office news service can be found at

<http://porch.ccta.gov.uk/coi/coipress.nsf/3bcb90567db7c6c280256735005807f1/9be5a6ea70c0bd87802567f50051de4a?OpenDocument>

-----CARE OF MENTALLY ILL DETAINEES IN US PRISONS

An article published in the US paper St Petersburg Times on 28 September 1999 describes the case of Donald Brenner, a 34-year-old paranoid schizophrenic who died in detention in Florida on 24 September 1998 after a struggle with correctional officers. The medical examiner at the time concluded that "prolonged physical exertion" caused his heart to fail. Although Brenner's family does not challenge this conclusion, they maintain excessive force was used by the prison officers and that they therefore should be held responsible for his death. See http://www.sptimes.com/News/92899/State/Care_of_mentally_ill_.shtml

-----MENTAL HEALTH CARE "TOP PRIORITY" IN UK JAILS

The Chief Inspector of Prisons in the United Kingdom, Sir David Ramsthbotham, said on 24 September 1999 that mental health care was "at the top" of the UK Prison's Service agenda. He conceded that mentally ill prisoners were currently being given inappropriate care, but said that closer collaboration between the Prison Service and the British National Health Service would improve the situation and give nursing staff more incentives to work in prisons. [BBC World Service]

-----CONFERENCE ON MENTAL ASPECTS OF DEATH IN CUSTODY

The London-based Royal Society of Medicine on 21 and 22 September 1999 held a conference on the "Medical aspects of death in custody". Speakers included Dr Margaret Stark, who said forensic medical examiners needed better training to be able to deal with the increased number of people with drug and mental health problems in prisons [see <http://news2.thls.bbc.co.uk/hi/english/health/newsid%5F452000/452806.stm>]; and Steven Karch, an assistant medical examiner from San Francisco, USA, who claimed that many deaths in custody that are blamed on police using excessive force in restraining "difficult" prisoners may in fact be the result of the prisoners' cocaine abuse [see <http://www.newscientist.com/ns/19990925/newsstory1.html>] For more information on the conference see <http://www.roysocmed.ac.uk/academ/125-cust.htm> or contact Yvonne Perks at Tel: (+44) (0) 171 290 3919, Fax: (+44) (0) 171 290 2977.

-----UK NURSES "CONFUSED" ABOUT PRISON WORK

According to a report by the United Kingdom Central Council [UKCC], the body responsible for regulating nursing in the UK, standards of nursing in prison vary widely and many nurses are confused about their role. The report says standards are poorly monitored, and blames political sensitivities and media scares for a defensive approach to care, rather than one based on "considered research". See

<http://news.bbc.co.uk/hi/english/health/newsid%5F453000/453301.stm> . The UKCC's homepage is at <http://www.kable.co.uk/eds/ukcc.htm>

-----EGYPTIAN COURT AWARDS DAMAGES FOR TORTURE

A court in Egypt has awarded damages of about US\$ 18,000 to two former members of the Muslim Brotherhood who sued over torture they suffered in prison more than 40 years ago. The men, both now 70 years old, had sued the interior ministry over their treatment in jail between 1954 and 1956. The court ruled that at the time of their arrest the Muslim Brotherhood was a legal organization, and that under the constitution there was no statute of limitations on torture.

It added that a 1986 presidential decree had committed Egypt to respecting UN conventions forbidding torture in detention centres. [AFP, 27 September 1999]

-----BELGIUM MODIFIES ASYLUM POLICY

The Belgian government on 24 September 1994 adopted a "new policy on political asylum" which, according to Prime Minister Guy Verhofstadt, will be based on a "combination of human treatment and firmness". The eight-point policy addresses in detail the treatment of refugees who are refused asylum and states that for refugees who refuse to leave on their own, deportation will be handled via a commercial airline and with an escort. If necessary, the escort will include a doctor and an observer from a human rights group. Verhofstadt said that "in all cases where restraint is necessary, restraints will be used only when taking into account all risks involved". The changes come one year after a 20-year-old Nigerian refugee, Semira Adamu, suffocated while being deported by police who shackled and handcuffed her, and restrained her with a pillow. [see [Reuters, 24 September 1999]

-----ISRAEL ADMITS TRAINING OF JAIL INTERROGATORS IN SOUTH LEBANON

In an affidavit lodged with the High Court of Justice in Israel last week, the Israeli Army Operations chief Dan Halutz admitted that within the framework of a relationship between Israel's security service, Shin Bet, and the South Lebanon Army [SLA], Shin Bet agents "cooperate with SLA soldiers and also give them professional guidance and instruction". He said Shin Bet agents taught SLA soldiers how to interrogate prisoners "face-to-face" in Khiam jail in the "security zone" that Israel occupies in South Lebanon. Human rights lawyers said the statement was a clear admission of Israel's control of the prison and asked the High Court for the right to visit the jail. [Reuters, 28 September 1999]. For an editorial in the Israeli paper Ha'aretz ["A prison without a state"] see http://www.haaretzdaily.com/htmls/kat3_12.asp

-----UN INVESTIGATES REPORTED MASS GRAVE IN KOSOVO

The UN war crimes tribunal is investigating reports that the Trepca mines north of Pristina in Kosovo Province might have been used as a dumping ground for hundreds of bodies. A spokeswoman for the tribunal declined to comment until investigations are complete. See <http://cnn.com/WORLD/europe/9909/24/BC-Yugoslavia-Kosovo.ap/>

-----WFP AND UNICEF RESUME WORK IN SOMALIA

The UN World Food Programme [WFP] and the UN Children's Fund [UNICEF] resumed operations in southern Somalia on 28 September 1999 after a one-week suspension when a Somali UNICEF doctor, 41-year-old Dr. Ayub Sheikh Yerow, was killed in an ambush [see AI Bulletin No. 19, 17 September 1999].

-----KENYA BARS UN SPECIAL RAPPORTEUR ON TORTURE

The UN Special Rapporteur on Torture, Sir Nigel Rodley, said on 29 September 1999 that despite a previous agreement with the Kenyan government, he was denied access to Kenya's biggest prison, the Kamiti prison in Nairobi. He said this was a "flagrant breach" of the terms agreed for his visit to Kenya, and said it was "hard to imagine that if the [Kenyan authorities] did not have something to hide they would have denied access to the prison". A formal report on his visit will be presented to the UN Commission on Human Rights in Geneva and published early next year. [Reuters, 29 September 1999]

-----US DOCTORS ALARMED BY FGM

Faced with a growing number of immigrant patients, the American College of Obstetricians and Gynaecologists [ACOG] has in September issued recommendations for the care of women who have undergone female genital mutilation in their country of origin. A slide-lecture kit and companion manual on the subject will be distributed to all medical schools and obstetrician/gynaecology programmes in the USA and Canada. See an ACOG news release at http://www.acog.com/from_home/publications/press_releases/nr8-31-99.htm or an article, published on 17 September 1999 in USA Today, at <http://www.usatoday.com/life/health/general/lhgen146.htm>

-----TURKISH HUMAN RIGHTS ACTIVIST RELEASED ON MEDICAL GROUNDS

Akin Birdal, President of the Turkish Human Rights Association (HRA) and one of Turkey's foremost human rights defenders, was conditionally released from prison on 25 September

1999 on "humanitarian grounds". Birdal, who was severely injured in an assassination attack last year, had been jailed for one year for "provoking hatred" in speeches held in 1996, calling for a negotiated solution to the country's Kurdish conflict. His sentence has now reportedly been postponed for six months. For an AI briefing on the case [AI Index: EUR 44/05/99 , February 1999], see <http://www.amnesty.org/ailib/aipub/1999/EUR/44400599.htm>

-----USE OF DNA EVIDENCE IN US APPEAL PROCEDURES

A special commission appointed by U.S. Attorney General Janet Reno to study the issue of post-conviction DNA testing is currently looking at a proposal to permit inmates to use DNA evidence to file appeals at any time, even if the deadline for appeals has expired. Although the proposal by the National Commission on the Future of DNA Evidence will not have the force of law, Reno is expected to use the proposal to shape Justice Department policy and to create a model for future legislation. The Commission's home page can be found at <http://www.ojp.usdoj.gov/nij/dna/welcome.html> [Death Penalty Information Centre]

-----DEATH PENALTY NEWS

Philippines: In an unexpected move, the Philippine Supreme Court on 29 September 1999 reversed commuted the death sentence of Romeo Gallo to life imprisonment. The Court had confirmed the death sentence in 1998, but now overturned its own decision because it had not been clearly established during the trial that Gallo's rape victim, a 13-year-old girl, was his own daughter. For an article in the Philippine Inquirer see http://www.inquirer.net/issues/sep99/sep30/news/news_8.htm

Philippines: On 27 September 1999, President Estrada granted death-row prisoner Josefina Esparas a 20-day reprieve in order to allow for a newly established "conscience committee" to review her case. If executed, Esparas would become the first woman to be executed since restoration of the death penalty in the Philippines in December 1993. The "conscience committee" is led by Executive Secretary Ronaldo Zamora and includes a Catholic bishop, the chairwoman of the pro-death penalty citizens' group Crusade against Violence, and two psychology professors. See http://www.inquirer.net/issues/sep99/sep28/news/news_12.htm

USA: On 24 September 1999, the number of executions in the United States in a year reached its highest level since states were allowed to re-establish capital punishment in 1976. Since the beginning of 1999, 76 executions have been carried out, bringing the total number of executions since 1976 to 576. The previous record of 74 executions in a year was set in 1997. At least 15 more inmates are scheduled to be put to death before the end of 1999. [AFP / Death Penalty Information Centre, 24 September 1999].

USA: An article published in the US paper St Petersburg Times on 26 September 1999 summarizes arguments brought up in the discussion on whether lethal injection should be introduced as method of execution in Florida. The debate follows a Supreme Court decision on 24 September 1999 which, in a 4-3 ruling, upheld the constitutionality of the electric chair, but which suggested that the method of execution should be changed. See http://www.sptimes.com/News/92699/State/Lethal_injection_face.shtml . For an article in the Miami Herald discussing the Supreme Court decision see <http://www.herald.com/herald/content/digdocs/news/florida/043634.htm>

Bulgaria: Bulgaria on 29 September 1999 ratified Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty. In order to become a party to the protocol, which enters into force for Bulgaria today, a state has to remove capital punishment from its law. For a Council of Europe press release see [http://www.coe.fr/cp/99/516a\(99\).htm](http://www.coe.fr/cp/99/516a(99).htm)

South Africa: Eleven South African former death row convicts had their sentences commuted to life imprisonment by the Supreme Court of Appeal on 23 September 1999. The re-sentencing follows the scrapping of the death penalty in 1995 by South Africa's Constitutional Court, which declared capital punishment as being inconsistent with constitutional guarantees for the right to life. [AFP, 23 September 1999]

European Union: The political directors of EU foreign ministries will meet next week to decide on the text of a resolution demanding a global moratorium on the death penalty, which the EU is

planning to introduce in the UN General Assembly. See
<http://www.iht.com/IHT/TODAY/WED/IN/death.2.html>

USA: The 22-29 September 1999 issue of the Journal of the American Medical Association [JAMA] includes a brief article first published in the magazine one hundred years ago, on 16 September 1899, entitled "Painless capital punishment". The article is available online at <http://jama.ama-assn.org/issues/v282n12/full/jjy90030-1.html>

-----MEETINGS AND CONFERENCES

13th World Congress on Medical Law. 6-10 August 2000, Helsinki, Finland. Second announcement and call for abstracts. For further information see <http://www.stakes.fi/medlaw> [website in English/French/Spanish] or contact Ms Pirkko Kuorehjarvi [mailto:pirkkok@stakes.fi] or Ms Eva Lindberg [mailto:eva.lindberg@stakes.fi], Tel: +358.9.39672073/39672173, Fax: +358.9.39672030

-----PUBLICATIONS

Levy MH, Reyes H, Coninx R. Overwhelming consumption in prisons: human rights and tuberculosis control. *Health and Human Rights*, Vol 4, No 1, 1999. Tuberculosis is thought to be the single biggest cause of death among the world's prisoners, but a human rights approach to tuberculosis control has not yet been applied. The authors propose that existing guidelines for the control of HIV be adapted and applied to tuberculosis. Tuberculosis control in prisons provides a platform to develop these concepts. This article has now been made available electronically on the webpage of the International Committee of the Red Cross at <http://www.icrc.org/icrceng.nsf/c1256212004ce24e4125621200524882/9d84549f5e7cac9e412567f9004e9141?OpenDocument>

Reyes H. Medical and ethical aspects of hunger strikes in custody and the issue of torture. Extract from "Maltreatment and Torture" in the series *Research in Legal Medicine - Volume 19* [editor: M. Oehmichen, Verlag Schmidt-Roemhild, Luebeck, Germany]. This article has now been made available electronically on the webpage of the International Committee of the Red Cross at <http://www.icrc.org/icrceng.nsf/c1256212004ce24e4125621200524882/cd838293bd0d0b08412567f30043ed74?OpenDocument>

Eastman N, Peay J [eds]. *Law Without Enforcement*. Hart Publishing, 1998:356pp. UK price £20. The book arose from a project undertaken by the editors and their contributors and commissioned by the UK Department of Health to address the effectiveness of current mental health law. The contributors explore the law and its place in the care of people with mental health problems from a wide range of perspectives. A review of the book, published in the *British Medical Journal* on 25 September 1999, is available online at <http://www.bmj.com/cgi/content/full/319/7213/859/a>; it can be ordered online for example from Blackwell's Bookshop at <http://bookshop.blackwell.co.uk/> or Amazon at <http://www.amazon.co.uk> [search for title or author]

Birmingham L. Prison officers can recognise hidden psychiatric morbidity in prisoners. *Letter to the editor. British Medical Journal* 1999;319:853. Available online at <http://www.bmj.com/cgi/content/full/319/7213/853>

Yeskey K et al. Health status of and intervention for US-bound Kosovar refugees - Fort Dix, New Jersey, May-July 1999. *Morbidity and Mortality Weekly Report*, 1999;48:729-732. Available online at <http://jama.ama-assn.org/issues/v282n12/full/jwr0922-1.html>

Junger S. *The Forensics of War*. Vanity Fair, October 1999, pp 138-154. The author reports on forensic investigations carried out in Kosovo by teams including experts from the FBI and Scotland Yard, and on how civilians are trying to cope with what has happened. [not available online]

International Committee of the Red Cross. *Arms availability and the situation of civilians in armed conflict*. ICRC, 1999, 80 pp. Available in English, French, and Spanish. For more information see

<http://www.icrc.org/icrceng.nsf/c1256212004ce24e4125621200524882/7e0e2909eedaa55412567f3003afb44?OpenDocument>

Pollack H, Khoshnood K, Altice F. Health care delivery strategies for criminal offenders. *Journal for Health Care and Finance* 1999 Fall;26(1):63-77. The authors of this paper, from the University of Michigan School of Public Health in the USA, review experiences within managed health care in US prisons and suggest strategies to improve the quality and efficiency of correctional care. See

<http://www.ncbi.nlm.nih.gov/htbin-post/Entrez/query?uid=10497752&form=6&db=m&Dopt=b>
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