Palestinian children still wait for their parents’ release

Sami and Nura Al-Hashlamon’s six children are still waiting for them to come home. They face an indefinite wait for their parents to be released from administrative detention in Israel. Amnesty International delegates met the children in December in Hebron in the Occupied Palestinian Territories.

Sami al-Hashlamon was arrested at the family home by Israeli army soldiers in September 2005. A year later, the army returned at night to arrest his wife, Nura. The children have been cared for by their grandmother ever since.

Sami and Nura al-Hashlamon are two of the approximately 850 Palestinians being held in administrative detention by the Israeli army. No charges are filed against them and the Israeli authorities have no intention of bringing such detainees to trial. The Israeli army maintains that administrative detainees are a “security risk”, but provides no information to the detainees or their lawyers to substantiate this claim and denies them the opportunity to mount any sort of defence.

Once a month, the al-Hashlamon children travel in a Red Cross bus to visit their parents in their respective prisons in Israel. Three of the siblings visit their father and the other three visit their mother. It is a long day, especially for the younger children. The bus leaves in the early hours of the morning and returns late at night, often after hours spent waiting for clearance at the Israeli military checkpoints that surround Hebron.

During the half-hour visits, the children are separated from their parents by a soundproof glass barrier, communicating by telephones. Only Saraya, the youngest at three years old, is allowed through the glass to hug her father for five minutes on each visit. The other five children are told that they are too old. Even Saraya, however, is not permitted to hug her mother.

Without their father’s salary the children live in poverty. As their parents’ detention continues to be extended and no one can tell them when they will be released, the children lack stability. Tahrir refuses to permit her children to come home. They face an indefinite wait for their parents to be released.

Administrative detention orders are issued by the Israeli army for a term of up to six months. On or before the expiry of the term, the detention order is frequently renewed. This process can be repeated without limit. On 12 December 2007 the army issued Nura al-Hashlamon with another order extending her detention by three months – four days before her previous order was due to expire. She is now expected to be released on 12 March 2008. Sami al-Hashlamon is not due to be released until 26 April 2008.

Amnesty International is campaigning against the use of administrative detention in Israel and the Occupied Palestinian Territories. It calls for Sami and Nura al-Hashlamon, and all other administrative detainees, to be released immediately unless they are charged with a recognizably criminal offence and promptly brought to justice in a fair trial according to international standards.

Five of the six children of Sami and Nura al-Hashlamon. The pair have been held without charge or trial by the Israeli army since 2005 and 2006 respectively.

Cambodia burns the homes of its poor

“Before, we did some farming… I was able to feed my seven children. Now there is nothing.”

Vireak, and his seven children became homeless on 20 April 2007. That day most of the village of Mittapheap 4 in the coastal town of Sihanoukville in Cambodia was burned to the ground by law enforcement and military officers, forcibly evicting more than 100 families. Months later, Vireak still lives under a tarpaulin on the roadside.

Vireak’s situation is mirrored countless times across the country as land grabs, landlessness, and disputes spread faster and faster. Like thousands of other victims of forced eviction in Cambodia, Vireak and his neighbours were never consulted before the eviction and were given no formal notice. The underlying land dispute was not settled before the village was demolished.

International human rights standards say that forced eviction must be a measure of last resort. The authorities violated this.

The Cambodian authorities follow a pattern of behaviour, using the court system as a means to stop and silence activists seeking to defend their homes and lands. A growing number of residents and human rights activists are imprisoned across the country, including in Sihanoukville. Following the loss of their homes, 13 of Vireak’s neighbours were arrested and charged with criminal offences. Nine were found guilty and sentenced to short prison terms, despite a lack of evidence. Although they have served their term, they have not been released but remain in prison in what constitutes arbitrary detention, pending the hearing of a prosecution appeal.

Most of the Mittapheap 4 villagers were subsistence farmers, beach vendors and small-scale fishermen. The loss of access to a means of supporting themselves and their families means that they risk sinking still further into already entrenched poverty. Sopheap, an elderly widow, told Amnesty International: “My son was arrested and beaten up while he was collecting belongings from the house. Before, he went fishing and farming. Now who can I rely on?”

The Cambodian government has adopted policies, supported by its international donors, aimed at developing and improving the lives of the poor. But such policies are in stark contrast to the realities experienced by Vireak, Sopheap and other victims of forced evictions, who sink deeper into poverty through the actions of the authorities. As seen in Mittapheap 4, instead of protecting the population against forced evictions, government representatives are often involved in arbitrarily expropriating land from marginalized people living in poverty.

As long as this situation is allowed to continue, thousands of Cambodians will remain under threat – not only in Sihanoukville and other urban centres, but increasingly in rural areas also. Forced evictions are recognized by the UN as a gross violation of human rights. A declared end to all forced evictions would send a clear signal that the government is intent on tackling land grabbing, landlessness and land disputes, while upholding its obligation to protect the right to an adequate standard of living as a foundation for its intention to develop the lives of Cambodia’s poor.

Names of individuals have been changed.
Ableak year for journalists and freedom of speech

A total of 171 journalists and media workers were killed in 2007, according to the International Federation of Journalists, slightly below the 2006 figure of 177. Sri Lanka and Somalia were among the most dangerous countries for working journalists last year, with killings, intimidation and other abuses a constant threat.

Sri Lanka

Attempts to censor the media have increased with the collapse of the ceasefire between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE). The 2002 truce formally ended on 16 January 2008, following a unanimous cabinet vote.

The escalation in hostilities has inevitably led to increased human rights violations by all parties to the conflict and reduced protection for civilians including media professionals. Newspapers have been closed down, employees intimidated and attacked, and a website has been blocked.

At least 10 media workers have been unlawfully killed since the beginning of 2006. Another has allegedly disappeared in the custody of the security forces, while others have been tortured and arbitrarily detained under emergency regulations granting the government sweeping powers.

In some cases attacks have been carried out by Tamil armed groups, apparently acting with the consent of the security forces. Amnesty International is unaware of any investigation into these violations. The military and paramilitary groups, resulting in four deaths. Vadivel Nirmalarajan, a proofreader with the paper, has been reported missing since 17 November in what appears to be an enforced disappearance. Other newspapers where killings have taken place, such as Yal Thinakkural and Uthayan.

While most of the media professionals who have been targeted are from the Tamil community, journalists among the majority of those who criticize government policy and are also coming under attack from government officials and pro-government Tamil armed groups.

Somalia

Eight journalists were killed in Somalia during 2007, most recently in Basahir Nur Gedh, acting manager of Shabelle Radio, on 19 October, making it the most dangerous country for media professionals after Iraq.

Journalists have also reported increases in detentions by Transitional Federal Government (TFG) forces and, on occasion, by the Ethiopian military. Journalist Mohammed Shidane Daban was reportedly arrested on 4 January 2008 at Mogadishu’s Aden Adele International Airport by TFG security forces. Mohammed Shidane, who works for Banadir Radio, had all his documents and baggage confiscated. He is being detained in an undisclosed location.

Threats of enforced disappearance or arrest by individuals identified as National Security Agents have increased. Two journalists also cited direct threats received from Somali journalists regularly receive death threats.

The International Federation of Journalists noted that “forced disappearances have continued to be a real problem. This is particularly the case as independent local human rights organizations in Mogadishu have been largely silenced, with many human rights figures killed or forced to flee or go into hiding after attacks and repeated threats.”

International humanitarian agencies are also facing mounting hostility from leaders of the TFG. Many humanitarian agencies working in Somalia refrain from documenting the human rights violations they witness, in order to preserve their operational presence on the ground.

Jailed for promoting democracy

Emadeddin Baghi, a human rights defender, is serving a one-year prison sentence.

On 14 October 2007 he was questioned in connection with his activism against government repression. He was accused of “publishing secret government documents” and bail was set at 500 million SOM (approximately US$4,000). His family were about to deliver the money but were then told that instead of being released on bail, he must serve a suspended sentence of one year’s imprisonment following a trial which took place in 2003. He had been convicted of “printing lies” and “endangering national security” after the publication of his book, The Tragedy of Democracy in Iran. He was not allowed access to a lawyer during the trial.

On 26 December 2007, while in solitary confinement in Evin prison in Tehran, he suffered the first of two seizures. He was taken to hospital, where he had a second seizure, and returned to prison the following day. He was then allowed to contact his family.

On 17 January he was transferred to hospital and granted bail for one month’s treatment. He is then due to be returned to prison.

For several years Emadeddin Baghi and the Association for the Defence of Prisoners’ Rights have campaigned for prisoners’ rights and against the death penalty, in particular when imposed on children. He was imprisoned for three years in 1999 in connection with articles about political dissidents and writers, in the 1990s, which the government later attributed to “rogue elements” within the Intelligence Ministry. Following his release in February 2003 he went on to work as the editor of a newspaper until 2004, when it was closed down by the authorities.

He is currently appealing against a three-year sentence imposed in July 2007 after being convicted of “propaganda against the system”, among other charges, in relation to his defense of Iranian Arabs sentenced to death after unfair trials.

Please write, calling for Emadeddin Baghi not to be returned to prison where he would be a prisoner of conscience. Send appeals to:
Ayatollah Mahmoud Hashemi Shahroudi, Office of the Head of the Judiciary, Pasteur St., Vali Asr Ave., south of Saheb-e Jomhouri, Tehran 13146, Iran
Email: information@tehran-irn.org (In the subject line write: FAO Ayatollah Shahroudi)

Please write, calling for hospital treatment for high blood pressure. These witness accounts contradict claims by the police force and Information Minister that they had no knowledge of his arrest.

There are conflicting reasons for Chief Manneh’s arrest. Some say that he was arrested following a letter to the Information Minister that he had no knowledge of his arrest.

Other says that he was arrested because he gave information to a foreign journalist which was considered damaging to Gambia’s image. His arrest has also been linked to an attempt to print a report critical of the government in the Daily Observer.

Journalist held in secret detention

Chief Ebrima B. Manneh, a journalist at the offices of the Daily Observer newspaper in July 2006. In spite of reports that he has been seen in Fatofo police station, Amnesty International does not know where he is currently being held and is concerned about his enforced disappearance.

He was taken away by plainclothes police officers thought to be from the National Intelligence Agency, which has denied any involvement in his arrest or subsequent detention.

After repeated attempts by his father and fellow journalists to find out what had happened to him, the government issued an official statement in February 2007 denying any involvement in his arrest or any knowledge of his whereabouts.

According to witnesses, Chief Manneh was taken to the Royal Victoria Teaching Hospital in the capital, Banjul, at the end of July 2007. Escorted by members of the Police Intervention Unit, a branch of the police force, he was taken to the hospital for treatment for high
**Update**

**Algeria**

Louis Saker has been charged with disturbing public order, organizing an unauthorized march, "outrage to civil servants with use of weapons and words.

This follows the condemnation in 2006 by the UN Human Rights Committee of Algeria for the enforced disappearance of her husband, Salah Saker, in 1994 at the hands of the Algerian security forces. She is due to appear in court in Constantine on 6 February 2008.

The charges relate to her participation in a peaceful demonstration in 2004 by families of victims of enforced disappearance. After the demonstration she was arrested, beaten up by the police and forced to sign a statement that she would not participate in such protests again.

Amnesty International fears that the charges are designed to punish her for her tireless efforts to uncover the truth about her husband’s fate. The author of this report has yet to investigate his disappearance.

See the Wire August 2007.

**Police and civilian populations they consider to be guerrilla forces. Those who target it have enjoyed almost complete impunity.**

But now, criminal investigations into the killing of community leader Eduardo Guerra, his family and neighbours, are confirming what Amnesty International and other NGOs have said for some time: that the massacre was carried out by army personnel operating with paramilitaries, in the view of the experts, both sides are responsible for targeting civilian populations they consider to be collaborating with their enemies.

As criminal proceedings in this case advance, the killings of targets against members of the Peace Community continue.

Abducted and tortured

On 23 December 2007, for example, witnesses say María Margarita Giraldo Usuga was abducted by members of the Colombian Army in the Arenas Altas area, killed, and her body—showing signs of torture—presented as a guerrilla killed in combat. That same day paramilitary groups set up a checkpoint near a separate police one, on the road between San Joséito and Apartadó.

For more than 10 years the Peace Community has tried to exercise its right not to be drawn into the conflict. But, by insisting that security forces remain outside the Peace Community and the surrounding hamlets, the community has been accused of hindering the security forces, trying to create an independent state, and even acting as a smoke screen for guerrilla forces. This is despite the fact that guerrilla forces have themselves criticized the community’s stance.

**Peace community plans to go home**

When Luis Eduardo Guerra Guerra, his partner, his 11-year-old son and a neighbour were killed on 21 February 2005, it seemed just another bloody milestone in the history of the Peace Community of San José de Apartadó, Colombia.

By any standards this was a massacre—three children among the eight dead; two with their throats cut and one decapitated. But for the community labelled “subversive” for attempting to stay out of the armed conflict, this was almost routine. Since the community (Comunidad de Paz de San José de Apartadó) in the Antioquia Department was founded in March 1997, it has borne more than 160 killings and enforced disappearances, and countless threats, the vast majority carried out by the security forces and their paramilitary allies and the remainder by guerrilla forces. Those who target it have enjoyed almost complete impunity.

Now, three years later, members of the Peace Community had to leave the Mulatos area of San José de Apartadó to plan to return on the third anniversary of the February 2005 massacre. In the past, serious human rights violations were committed at precisely those times when the community planned to resettle abandoned areas of land.

The community has insisted that the human rights violations and abuses it has suffered should be fully investigated and those responsible brought to justice through mechanisms it has sought to negotiate with the government.

**INDIA**

**Doctor and human rights defender detained**

Binayak Sen, a medical doctor and human rights defender in Raipur, Chhattisgarh state, following his arrest on 14 May 2007, Amnesty International believes that the charges against him may be politically motivated and designed to silence human rights defenders who oppose the Salwa Judum, a so-called people-sponsored campaign against the banned Communist Party of India (Maoist).

In the course of his human rights work, Binayak Sen visited Narayan Sanyal, a CPI (Maoist) leader, in Raipur prison many times. The police claim that at these meetings, Narayan Sanyal gave letters to Binayak Sen to pass on to Piyush Guha, also an alleged member of CPI (Maoist) who has subsequently disappeared.

Amnesty International believes that Binayak Sen’s arrest may also be linked to his enquiries into reports of the use of extra-judicial executions in Chhattisgarh state by state police as part of the Salwa Judum campaign.

The Salwa Judum was allegedly initiated by the people of Chhattisgarh in 2005 to oppose Maoist violence in the state. However, human rights defenders have gathered evidence showing that the Salwa Judum is actually a state-sponsored attempt to clear Maoists out of Chhattisgarh, ultimately giving companies better access to the state’s abundant natural resources.

Binayak Sen’s arrest may also be an attempt to prove that meeting or having ideological sympathies with the armed Maoists is in itself a crime. A legal conviction in this regard would incrimate thousands of human rights defenders across India and severely limit their freedom of association.

Binayak Sen applied for bail but this was turned down at the Chhattisgarh High Court on the grounds that the police were investigating his alleged relationship with an armed leftist group. But those working in his legal defence state that the evidence being used to incriminate him is flimsy and unsubstantiated.

Amnesty International has learned that Binayak Sen’s lawyers have not received vital information relating to evidence apparently found at his property, and he has been held in preventive detention since his arrest took place on 28 December. There are recent reports that his health is deteriorating.

**KOSOVO**

**Pro-independence demonstrators killed**

Mon Balaj (left) and Arben Xheladini (right) were killed on 10 February 2007 by unidentified members of a Romanian Formed Police Unit during a Kosovo Albanian pro-independence demonstration in Pristina, the capital of Kosovo. The police officers were serving in the international civilian police force as part of the UN Interim Administration Mission in Kosovo (UNMIK).

The demonstration was organized by the Kosovo non-governmental organization Vetëvendosje (Self-determination) to protest against a proposal, presented by the UN Special Envoy, Martti Ahtisaari, on the future status of Kosovo. Eighty-seven other demonstrators were injured in the violence, seven of them severely. Four different types of rubber bullets or plastic covered steel bullets were reportedly collected from the site after the demonstration.

Two UNMIK reports concluded that the two men were killed by rubber bullets used by a Romanian Police Unit deployed to the demonstration. However, UNMIK Department of Justice investigators were unable to identify the officers responsible for their deaths.

The Inter-American Court of Human Rights of the Organization of American states has repeatedly called on the Colombian authorities to guarantee the safety of inhabitants of the Peace Community, most recently on 2 February 2006. However, the Colombian authorities appear to have taken little action to implement the Court’s requests.

To re-open and live in safety, the community needs international solidarity and pressure.

For more information, please see Colombia: Return to hope (AMR 23/023/2006) at www.amnesty.org.

Send messages of support to the Peace Community of San José de Apartadó in advance of the 21 February 2008 resettlement of the Mulatos area. Email: cdpamigosjose@gmail.com

Amnesty International will be undertaking other campaign and solidarity work related to the Peace Community throughout 2008, including action demanding an end to impunity. If you are interested in doing more, contact your local Amnesty International office.

**Pro-independence demonstrators killed**

Further more, in March 2007 the Romanian authorities recalled police officers who could have provided crucial information about the incident.

No formal criminal investigation has subsequently been held into the killing and injury of demonstrators.

**Please write, calling on the UN authorities in Kosovo to immediately open a thorough and impartial criminal investigation into the killing of Mon Balaj and Arben Xheladini; to lift the immunity from prosecution of any member of the UNMIK police suspected of involvement in the deaths of the two men; and to call on the Romanian authorities to return to Kosovo all of the Romanian police officers who were present at the demonstration so that they may be questioned.**

Send appeals to: Joachim Ruesker, Special Representative of the UN Secretary-General, Room 511, UNMIK Headquarters, 38000 Pristina, Kosovo
Fax: +381 21 963 8777
Email: ehailu@un.org
Salutation: Dear President Uilib
Guantánamo Bay: six years in legal limbo

Thousands of Amnesty International supporters took part in a global day of action on 11 January to close Guantánamo and end illegal detentions. The date marked the sixth anniversary of the first arrivals of detainees at the US naval base in Guantánamo Bay, Cuba. Protesters called for a lasting solution for the 2.50 or so detainees still held there, many of whom have been cleared for release from the base but have no safe country to return to.

Amnesty International presented the US government with the names of more than 1,200 parliamentarians from countries including Bahrain, Germany, Israel, Japan and the UK who have signed up to Amnesty International’s framework to close the Guantánamo detention facility and end all other unlawful detentions. This petition calls on the USA to end secret detention, restore habeas corpus, and ensure that detainees are charged with recognisably criminal offences and brought to trial in independent and impartial courts, or released with protection against further human rights violations.

On 12 January the Chairman of the Joint Chiefs of Staff, Admiral Michael Mullen, became the latest US official to call for Guantánamo’s closure as the negative publicity it has caused has been “pretty damaging” to the image of the USA.

Go to www.tearitdown.org to sign the petition to end US illegal detention.

Lyrical protest

Abdulla Thani Faris al Anazi, who wrote these lines, was reportedly kidnapped by bounty hunters in Afghanistan from his recovery bed following the amputation of his leg. They later turned him over to US forces. He was held in Guantánamo Bay from 2002 to 2007, not knowing if he would ever be released. He turned to poetry to express his pain at the injustice of his situation.

His poem is one of a collection of 22 contained in a new book: Poems from Guantánamo: the detainees speak. Many detainees have been denied pens or writing paper, so poems were written in toothpaste, on toilet paper and etched with pebbles into polystyrene cups, then passed from cell to cell. Detainees took sanctuary in their poetry; through this small volume their voices can be heard and their innermost feelings glimpsed. Some of the poems were written by seasoned writers, others by those who had never written poetry before.

Originally composed in Arabic or Pashto, many of the poems were cleared by the US authorities for release in English only. They claimed that the works in their original languages posed a security risk.

Amnesty International is producing an Arabic edition of the book, which will be launched at the Cairo Book Fair in February 2008.

For more information and to find out how to order a copy of the book, please visit www.amnesty.org/en/news-and-updates/feature-stories/poems-from-guantanamo-20071212

UN majority backs an end to executions

On 18 December 2007, the UN General Assembly voted overwhelmingly in favour of a resolution calling for a moratorium on executions. A total of 104 countries voted in favour, with 54 against and 29 abstentions.

The resolution enjoyed strong cross-regional support and underlines the worldwide trend towards abolition. To date 135 countries have abolished the death penalty in law or in practice, the latest being Uzbekistan on 1 January 2008. On 30 December 2007, South Korea became abolitionist in practice, 10 years after the last execution. On 17 December, New Jersey became the first US state since 1967 to legislatively abolish the death penalty.

“Today’s vote represents a bold step by the international community,” said UN Secretary-General Ban Ki-moon. “I am particularly encouraged by the support expressed for this initiative from many diverse regions of the world. This is further evidence of a trend towards ultimately abolishing the death penalty.”

Executions continue

The resolution welcomes “the decisions taken by an increasing number of States to apply a moratorium on executions, followed in many cases by the abolition of the death penalty,” but expresses deep concern that capital punishment continues to be applied.

It asks countries to progressively restrict the use of the death penalty, such as by reducing the number of offences for which it may be imposed, and calls on those states that have abolished the practice not to reintroduce it.

Amnesty International calls on all states that still retain the death penalty to implement an immediate moratorium on executions. A moratorium should allow all sectors of civil society to participate in an informed debate and should prompt governments to review their laws on capital punishment in accordance with the resolution’s provisions.

For more information please visit www.amnesty.org/en/death-penalty

Clockwise, from top left: Former Guantánamo detainee Rahal Ahmed takes part in a poetry action in Madrid, Spain; Amnesty International joins other human rights organizations at a sit-in outside the UN office in Rabat, Morocco; activists kneel in protest outside the US embassy in London, UK; Aurora Parong, director of Amnesty International Philippines, addresses the crowd at a demonstration in Manila.

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