



APRIL 2007 VOL 37 No. 63

AMNESTY INTERNATIONAL

## Elections in Nigeria marred by violence

Widespread violence has left dozens dead in clashes between supporters of rival candidates, and seen several incumbents assassinated in the lead-up to Nigerian elections in April. Political parties and candidates reportedly have been involved in the brutality, arming supporters and inciting violent conflicts with complete impunity. Violence has been used by most parties to retain or acquire political power or support, and the Nigerian government has done very little to prevent it.

Aye Dememba, a candidate for governor in Ekiti State, was shot and stabbed by armed men who forced their way into his home in August 2006. Eight people, including a member of the Board of Trustees of the ruling People's Democratic Party and the personal assistant to the then Ekiti State Governor, have since been arrested for the murder. One of the suspects arrested reportedly claimed that he was commissioned by an aide of the then State Governor.

In November 2006, several hundred human activists, allegedly politically motivated, were carried out in Bayelsa, Delta and Edo states, killing at least one person. As increasing fear of firearms in Nigeria and the creation of armed vigilante groups have emboldened politicians to encourage political violence at local and state levels. Law enforcement authorities have failed to take adequate steps to protect human rights.

Constitutional violence in Nigeria is often politically motivated, particularly when tribal backgrounds or other factors are exploited by candidates during electoral campaigns. Armed gangs in the oil-producing Niger Delta are reported to be forging links with politicians ahead of the 2007 elections, fueling fears of increased carnage in a region already affected by pervasive violence and human rights abuses.

Despite recent statements by some security officials and other authorities that violence will not be tolerated, and occasional arrests, most election-related disturbances are not investigated and go unpunished.

The Campaign for Violence-Free Elections – a coalition of 27 Nigerian civil society and international organizations including AI – was launched in Lagos on 22 January. The coalition calls on all stakeholders, including the Nigerian state and federal governments, political parties and candidates, to publicly declare that they will not tolerate violence and human rights abuses before and after the elections. To date four opposition parties have pledged their support.

**ACT NOW!** Write to President Obasanjo (Obasanjo), calling on him to ensure that he leaves a legacy of peaceful elections by taking clear and unambiguous steps to stop politically motivated violence. Call on him to initiate independent, transparent and effective investigations into cases of political violence and human rights abuses in the context of the elections, and to ensure that suspected perpetrators are brought to justice without further delay. To sign the petition to support violence-free elections in Nigeria go to [www.amnesty.org/actnow](http://www.amnesty.org/actnow)



Poster for 2007 Nigerian elections which have already been labelled by violence.



AIK leads a demonstration in Downing Street, London, calling on the UK government to categorically condemn torture.

## UK still deports to states known to use torture

The UK deported two men in January to Algeria where they risk torture and other ill-treatment because of their purported involvement in Al terrorism. With no conclusive evidence against the men, the UK authorities nevertheless branded them as threats to "national security" and used this as grounds to expel them from the country.

The UK circumvented its obligations to its torture people to states that practice torture by claiming to have obtained assurances from the Algerian authorities that the men would be treated humanely and would benefit from amnesty measures.

However, following their deportation to Algeria, Reda Dendani and another Algerian man, known for legal reasons only as "YI", were held virtually incommunicado by an Algerian intelligence agency for approximately 12 days. They were then charged with "participation in a terrorist network, operating abroad", and remained in custody.

Another Algerian man, Mustapha Taleb (formerly known as "YI"), faces deportation back to Algeria despite having fled torture there and gaining refugee status in the UK. He was among a group of men charged, tried and eventually acquitted in 2005 of all charges in the UK in connection with an alleged conspiracy to produce poisons and explosives. After his acquittal, he was released from custody in April 2005, where he had been held for more than two years. He was later re-arrested and held pending deportation to Algeria on "national security grounds".

Mustapha Taleb appealed to the Special Immigration Appeals Commission (SIAC) – the controversial court presiding over such matters in the UK – against being labelled a "national security" risk in the UK and asserting that his return to Algeria would expose him to a real risk of torture.

AI monitored Mustapha Taleb's SIAC hearing. It appeared that the UK authorities' case against him amounted to the same charges brought against

him in his earlier criminal trial – charges of which he had already been acquitted. Three jurors from Mustapha Taleb's criminal hearing wrote to AI expressing their shock at this. "This is contrary to anything we thought could be possible in a democratic free society. Since January 2003, 'YI' (Mustapha Taleb) has been persecuted by our government beyond all realms of imagination."

In reaching its decision, SIAC also relied on secret intelligence provided by the UK authorities that was not disclosed to Mustapha Taleb, his lawyers or the public.

The SIAC proceedings effectively denied Mustapha Taleb a fair hearing and made it impossible for him to refute the state's assertion that he posed a risk to "national security". SIAC also ignored the near certainty that Mustapha Taleb could be tortured if returned to Algeria.

Despite this, the UK has reached agreements, or Memorandums of Understanding, with states that routinely practice torture, including Jordan, Lebanon and Libya. And it has stepped up its deportations of so-called "national security suspects" to these countries.

One such "suspect", known as Abu Qatada, lost his appeal against deportation on "national security" grounds in February. SIAC disregarded ample evidence that Abu Qatada faces a real risk of torture and other ill-treatment if returned to Jordan.

After levelling serious charges against men alleged to be "national security" risks, the UK authorities state that they do not have enough admissible evidence to bring criminal proceedings against them. Instead, they rely on deportation as a legitimate expedient. The UK claims that diplomatic assurances, including Memorandums of Understanding, are enough to protect deportees from human rights abuses, and fulfil its obligation under international law. The evidence, however, suggests otherwise.

## Worldwide Appeals

- Unfair trial of journalist in Azerbaijan
- Woman forced to divorce in Saudi Arabia
- Flawed justice in USA
- Students' fate unknown in Nepal

## Inside



War on terror special issue



# Human rights persistently defiled in 'war on terror'

## Europe slammed for 'renditions' collusion

The European Parliament has condemned several European states for colluding with the USA in the "active role" of "rendition" - the transfer of people to countries where they will be tortured or mistreated.

In an report issued in February, it also accused European governments of "turning a blind eye" to flights operated by CIA for the civil aviation routes intended for private flights, rather than state flag aircraft, which would have been declaring their purpose as military. The report specifically identified flights landing or originating in Europe that carried detainees, and many others that used European airports or airports on their way to carrying out "rendition" operations in the United Kingdom, Poland and the UK.

However, German prosecutors have filed charges against CIA operatives operating in Germany in the abduction and transfer of Khalid bin Muhammad to Afghanistan, when he was held incommunicado in solitary confinement for four months, while being interrogated during interrogation.

While these moves are welcome, European governments must ensure that they co-operate fully with the UN Human Rights Committee. At the same time, European governments must make clear that the practice of rendition will not be tolerated anywhere in any way, form or degree, on no longer deny ignorance or remain passive.

For more information, see: [www.ams.org.uk/Europe](http://www.ams.org.uk/Europe)

*"and then they bound my whole head and face with wide adhesive tape... and they left an opening for my nose and one for my mouth and they tied my feet and hands from behind with plastic binds and then they lifted me into an airplane."*

Abu Osama, detainee from Guantanamo Bay, as told by his US captors. See [www.ams.org.uk/Europe](http://www.ams.org.uk/Europe)

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## Mothers' appeals

**AMERICAN**  
**Journalists' unfair trial**

Well known opposition journalist Sakit Zhabed was sentenced to three years' imprisonment after he was charged with charging with possessing illegal drugs. Foreign journalists believe that Sakit Zhabed was arrested on 10 October 2006 and charged with "possession of illegal narcotics with intent to distribute".

Sakit Zhabed is a journalist for the opposition newspaper "Azadiya Freedom". He was arrested in October 2006 and charged with "possession of illegal narcotics with intent to distribute" by Interior Ministry personnel belonging to its anti-narcotics department. Other journalists who were arrested along with human rights activists believe that his arrest was politically motivated. They support Sakit Zhabed's claim that drugs were planted on his person when he was arrested and they were not even tested when they arrived.

At Sakit Zhabed's trial in August 2006, many people interested in the case were unable to attend because the judiciary barred which reportedly took place in a small room with capacity for only 25 people. No recording of the hearing was permitted, apparently contradictory medical evidence was presented and

there were a number of procedural irregularities.

Some important witnesses were not called and it is alleged that Sakit Zhabed was not permitted to hear his own testimony was partially confined from the final record of the trial. His lawyers have reportedly still not had access to the document.

In October 2006, Sakit Zhabed was sentenced to three years' imprisonment on a reduced charge of "possession of drugs for the purpose of personal consumption". He is currently held in a maximum security prison in Qaboton region, where Azerbaijan human rights activists have previously documented human rights abuses. All believes that he may have been repeatedly tortured by peacefully exercising his right to freedom of expression.

For more info, call on the Azerbaijan authorities to ensure an immediate retrial of Sakit Zhabed in compliance with international fair trial standards.

Send reports to: President Bakiyev, Ministry of the President of the Azerbaijan Republic, 19 Shakhmurov Street, Baku AZ1006, Azerbaijan. Fax: +992 49 292 0625. Salvation Desk President

**Saudi Arabia**  
**Woman forced to divorce husband**

Fatima A., a 34-year-old mother of two children, has been forced to divorce her husband following a document obtained by her half-brother. Her husband was reportedly killed on the grounds that he was from a tribe of lower status than her tribe and that he failed to disclose this when he married her. The court's decision is based on a customary rule known as 'Talaq' or 'Kafar'. The couple, who are happily married and have two children, do not wish to divorce.

Since the court ruling Fatima has remained in Qadumman Prison with

her one-year-old son for fear of being forcibly returned to her brother's home. As a divorce, contacting her husband would amount to adultery, a criminal offence punishable by at least flogging, and would put her at serious risk of domestic violence.

In Al-Dammam Prison, Fatima has received eight visits from her husband and her daughter who lives with him. The divorce ruling was upheld in January 2007 by an appeal court. Following the appeal court ruling, police were reported to have tried to take Fatima to her brother's home. She refused to go with them, preferring the security of the prison. Prison staff have allowed her to stay there, but she remains at risk of being handed over to her brother.

Although witnesses in Saudi Arabia are increasingly speaking up for their rights, they continue to be subjected to discrimination, which facilitate and perpetuate domestic violence.

For more info, call on the Saudi Arabian authorities not to enforce the forced divorce settlement against Fatima, and not to return her to her brother's home against her will. Send reports to: His Royal Highness Prince Khalid Bin Abdul Aziz, Minister of the Interior, Ministry of the Interior, P.O. Box 22700, Jeddah, Saudi Arabia. Fax: +966 4 031 1185. Salvation: Your Royal Highness

**USA**  
**Flawed justice**

Gary Tyler, a 48-year-old African-American man, has been in prison in Louisiana since 1975 for a murder trial married by racial prejudice. In 1975 he was sentenced to death for the murder of Timothy McCallister, a white high school, who was shot outside his home by a police officer. Tyler was sitting next to Gary Tyler on the bus and had seen him fire a gun into the crowd. He recalled that Tyler with immediate effect was given a "free" trial and "found" a gun stuffed through a long window in the rear of the bus. The tree of the bus had previously been thoroughly searched with nothing being found.

His original trial, racial tension was high as white communities were angry because white Tyler was wrongly beaten during a riot in New Orleans. He was tried by an all white jury from which members of the black community had been deliberately excluded. He received seriously deficient legal representation from a white lawyer. Since his trial, evidence has

been used to call on the Governor of Louisiana to rectify this miscarriage of justice by ordering an immediate retrial of Gary Tyler to ensure a fair and independent investigation into the case that anyone found to have been involved in the cover-up should be brought to justice.

Send reports to: Governor Robert Blanco, Blanton, Office of the Governor, PO Box 80404, Baton Rouge, LA 70804-0604, USA. Fax: +1 225 327 3309. Email: [www.state.la.us](mailto:www.state.la.us)

**UK**  
**Police violence**

Police violence against protesters in London was exposed by the release of a video showing a police officer striking a protester in the head with a baton. The video was taken by a protester who was injured by the baton. The police officer was identified as PC [Name redacted]. The video was released on the internet and has since been widely shared.

**NEPAL**  
**Students' fate unknown**

Sanjiv Kumar Karna, a 24-year-old student was picked up with a group of friends on 18 October 2003 when he and his friends were arrested by a group of 25-30 joint force personnel in Janakpur. He was not alone, and some witnesses who previously testified against him - friends were brutally beaten by the police and have said that they were coerced by police to make statements.

His original trial was overruled in 1977, when the US Supreme Court declared it unconstitutional. Tyler was granted sitting next to Gary Tyler on the bus and had seen him fire a gun into the crowd. He recalled that Tyler with immediate effect was given a "free" trial and "found" a gun stuffed through a long window in the rear of the bus. The tree of the bus had previously been thoroughly searched with nothing being found.

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**Iran: Mar Karzai** (Worldwide Appointments) was detained for four years at Guantanamo Bay, Cuba, on the basis of "secret evidence". It was held in a 1400 sq ft cell, with no natural light, and no ventilation for 11 years. He was released in 2007.

Contrary to the official warnings, however, when Baber Amyar finally met Mar Karzai face to face, he found a polite man with a good sense of humour. "I found him to be an incredibly compelling human being," he says.

He also found that Mar Karzai had no idea of the world's response to his detention and the detentions of others at Guantanamo. "I told him that his mother had been fighting for his freedom for years," he says. "He said that he had a lawyer in Germany, but the world was outraged about Guantanamo... And he said his brother had died. He had no idea that his brother was in Guantanamo's existence. He thought that was the end of the other side of the medal."

Mar Karzai was arrested by Pakistani authorities in November 2001 and transferred to a military prison in Afghanistan. He was later transferred to Guantanamo Bay in September 2001 articles, telling his family that he was going to Pakistan to study the Quran. Mar Karzai was not one among a lengthy backlog of detainees at Guantanamo. He was, he was confirmed as an "enemy combatant" by a Combatant Status Review Tribunal on the basis of "classified evidence".

The tribunals are the US authorities' response to the 2004 Supreme Court decision, but they have proved grossly inadequate. In January 2005, a federal judge condemned them, citing the case of Mar Karzai to illustrate the "fundamental unfairness of the [tribunal's] reliance on classified information not disclosed to the detainees" in reaching decision on a detainee's "enemy combatant" status.

Baber Amyar adds: "The judge ruled that the evidence he had against me was so attenuated, and so weak, that it could never be a valid detainee decision."

**"No evidence" according to US documents**

De-classified information from the US authorities reveals that there was no case against Baber Amyar. In one statement, "CITF [Command Information Task Force] has no definite link of evidence between an association with Qaida or making any threat towards the US".

Despite this, Mar Karzai remained at Guantanamo. Meanwhile, the German authorities appear to have no interest in his case for fear. Amyar has brought up the case of Mar Karzai, a detainee at Guantanamo, in a letter to his Turkish migrant work. It was only after intense lobbying by his family, lawyers and A1 members around the world that the German authorities changed tack.

Speaking on his recent prolonged detention despite the lack of evidence against him, Baber Amyar suggests: "In the Combatant Status Review Tribunal they first had to say we was an enemy combatant. I did that with every other. They wouldn't keep someone for three years and say they are not. I also think they couldn't say the reason we are detaining him is because we are not. I think they were really doing this to show that they were not and continue to be arbitrarily and unlawfully detained."

Since Mar Karzai was released, the situation for foreign nationals held in US custody at Guantanamo Bay, Cuba has improved. In the US, in Afghanistan, in Pakistan, elsewhere - has worsened. The military commissions act, signed into law by President Bush in 2006, allows the US government to detain indefinitely anyone who is suspected of being part of al Qaeda, the Taliban or other terrorist groups or persons associated with such detainees. All will continue to work for restoration of this basic standard against arbitrary detentions.

**Albania**  
**Police violence**

Police violence against protesters in Albania was exposed by the release of a video showing a police officer striking a protester in the head with a baton. The video was taken by a protester who was injured by the baton. The police officer was identified as PC [Name redacted]. The video was released on the internet and has since been widely shared.

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**Turkmenistan**  
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**Police violence to death**

In December 2005 Bashkim Gardije, the SHK director at the time of Romi Roma's enforced disappearance, remained in Albania after his eight-year absence abroad. When questioned by prosecutors in November 2006, he denied the SHK's involvement in Romi Roma's enforced disappearance. However, the prosecutor as SHK director denied SHK prosecutors that Romi Roma had died in October 1998 from torture by SHK employees. He said that he had not been able to discover when Romi Roma's body had been buried or who was directly responsible for his death.

On 16 February 2007, Albania was among 57 countries which signed the International Convention for the Protection of All Persons from Enforced Disappearance, signed by the UN General Assembly on 20 December 2006. See [www.unhcr.org/refugee/10406.html](http://www.unhcr.org/refugee/10406.html)

Please write to: [www.unhcr.org/refugee/10406.html](mailto:www.unhcr.org/refugee/10406.html)

Send reports to the Albanian ambassador in London and to the UN Human Rights Commission for investigation to the European Commission, Rue de la Loi 17, 1049 Brussels, Belgium. Email: [K.Rethem@ec.europa.eu](mailto:K.Rethem@ec.europa.eu)

**Papu**  
**Police violence**

Police violence against protesters in Papua New Guinea was exposed by the release of a video showing a police officer striking a protester in the head with a baton. The video was taken by a protester who was injured by the baton. The police officer was identified as PC [Name redacted]. The video was released on the internet and has since been widely shared.

**Bosnia and Herzegovina**  
**Police violence**

Police violence against protesters in Bosnia and Herzegovina was exposed by the release of a video showing a police officer striking a protester in the head with a baton. The video was taken by a protester who was injured by the baton. The police officer was identified as PC [Name redacted]. The video was released on the internet and has since been widely shared.

**Police violence**

Police violence against protesters in various countries was exposed by the release of a video showing a police officer striking a protester in the head with a baton. The video was taken by a protester who was injured by the baton. The police officer was identified as PC [Name redacted]. The video was released on the internet and has since been widely shared.

## First step to justice for the people of Darfur

On 27 February the International Criminal Court (ICC) presented evidence against two Sudanese men suspected of war crimes and crimes against humanity in Darfur. This latest development comes a year and a half after the investigation into such crimes in Darfur was opened.

Current State Minister for Humanitarian Affairs Ahmad Haman, and removed Janjawid leader Ali Muhammad Ali Abdolrahman (also known as Ali Kushayb), face 51 counts of alleged crimes against humanity and war crimes, including murder, the destruction of property, pillaging, rape, torture, outrages upon personal dignity and other inhumane acts. The presentation of evidence against Ahmad Haman is particularly significant as it marks the first time the ICC is seeking to prosecute a current government official.

However, on hearing of the ICC's accusations, Sudan's Minister of Justice, Mohamed Ali Madih, reportedly declared: "The ICC has no jurisdiction on any Sudanese." He added: "The Sudanese government will not allow any Sudanese to be tried and punished outside the national justice framework."

On 4 March, Sudan announced that it would start trial proceedings in a special criminal court in Geneina, West Darfur, against three people, including Ali Kushayb, on charges relating to attacks in the region. The ICC can only prosecute individuals if a state refuses or is unable to do so itself. Sudan's moves to try Ali Kushayb suggest an attempt at undermining the ICC's jurisdiction in this case.

The ICC has no police force with which to execute warrants if suspects do not comply with summonses. It relies on the willingness of states or peacekeeping operations, such as the African Mission in Sudan of the African Union (AMIS), to arrest suspects and surrender them to the ICC. However, the AU has refused, for more than a year, to sign an agreement to do so.

With Sudan refusing to co-operate, the onus now lies with the international community, including the AU, to ensure that if the suspects are indicted, they comply with the warrants. If there is no follow-up action to the warrants, victims and their families will continue to be denied justice and reparations.

Over two million people have been displaced in the Darfur conflict. Some 85,000 people have been killed and thousands of women have been raped since the conflict began.



Top: Sudanese refugees from Darfur return to Garga refugee camp, Chad, after fleeing Darfur. Bottom left: AMIS and (right) AU women demonstrators against the violence in Darfur on the steps of global action in September and December 2006.

## Rio de Janeiro's Governor must respect election promises in Brazil

"Instead of putting the candidate in the limo, let's solve their real causes of the problem." Sérgio Cabral in an election statement, O'Press newspaper, 31 October 2006



In February, Rio de Janeiro state police forces and members of the elite National Public Security Force invaded the favelas of Complexo do Alemão, Rio de Janeiro. At least 35 people, including children, were killed during the operation which included the use of an armoured car known as the caracota. After a three-day gun battle police withdrew, claiming to have seized over 600 weapons.

During the 2006 elections the current Governor of Rio de Janeiro, Sérgio Cabral Filho, criticized the use of caracotas, seen as symbols of a violent and discriminatory public security policy which undermines poverty.

It is essential that changes in public security policy based on human rights, police intelligence, thorough investigations and social policies are implemented in Rio de Janeiro.

### ACT NOW!

Send a postcard to Governor Sérgio Cabral, calling on him to stand by his election promise and end the use of armoured vehicles in policing operations in the favelas of Rio de Janeiro now.

Postcards are available from [postcard@armstrong.org](mailto:postcard@armstrong.org) or write to: Emma St/Governor Sérgio Cabral Filho, Palácio Guanabara, Rua Paqueta Machado, 4/s, Laranjeiras, 22238-900 Rio de Janeiro - BR.

### RECENT PUBLICATIONS

**Youth - Activism - Engagement - Participation**  
(ACT 7) (02/2006)

**Liberia: A brief guide to the Brief and Reconciliation Commission**  
(ARR 34) (02/2006)

**USA: Before the order - Seven rights to torture and "enhanced interrogation"** (MNS 5) (02/2006)

**Compilation of Global Principles for Arms Transfers, second edition**  
(PPS 14) (04/2006)

**Published by the Arms Trade Treaty Working Committee 2006**

### People's consultation

The Control Arms Campaign, run jointly by AI, UNISA and Oxfam, is holding a People's Consultation to encourage as many governments as possible to submit positive and strong recommendations to the UN in support of an Arms Trade Treaty (ATT).

The UN passed the resolution to adopt an ATT in December 2006, with 153 governments voting in favour.

Governments are now being asked to submit that views to the UN on the "feasibility, scope and parameters for a comprehensive, legally binding instrument, establishing common international standards for the import, export and transfer of conventional arms."

It is calling on states to include in their submissions the golden rule: "Arms transfers should not be authorized where they will be used or are likely to be used for gross violations of international human rights law." This will give the Group of Governmental Experts a broad mandate when it begins its work in 2008 to discuss how to proceed on establishing an ATT. To find out how you can support the People's Consultation and take action, go to [www.controlarms.org](http://www.controlarms.org)



### NEWS IN BRIEF

#### Women's rights demonstration quashed in Iran

Over 30 women activists were arrested on 4 March while staging a peaceful demonstration outside Iran's Revolutionary Court in the capital. At the time of writing, all the women have been released except Shah Saeed and Mahboubeh Akhavanfardizadeh, both active in campaigns to stop executions by stoning in Iran. All consider both women to be prisoners of conscience.

The activists were protesting at the trial of five women charged in connection with a peaceful demonstration calling for equal rights for women under Iran's law. Held last June, that demonstration was violently dispersed by security forces, who arrested at least 70 people. Those detained on 4 March included four of the five women who were arrested as they left court.

Many of those arrested were active in the Campaign for Equality, launched in August 2006 to transfer women's rights activists, which aims to collect a million signatures from Iranian in support of changes to the law to end legalized discrimination against women. Their website has frequently been filtered by the Iranian authorities, making it difficult for people in Iran to access it. The women were planned to campaign for their internationally recognized right to equality on 8 March, International Women's Day. The arrests may have been an attempt to prevent planned events from taking place.

See the film March 2007 and International Women's Day: Irene Khan and Shahn Ehsani call for an end to discrimination against women in Iran (MDE 13/02/2007).

#### Iran executions

Eight Iranian Arab men were executed in Iran in January and February. They had been convicted after unfair trials of being involved in bomb attacks in October 2005.

All four in the list of other prisoners who are reported to have been sentenced to death following unfair trials.

See Iran: Death sentences - appeal case: 11 Iranian Arab men facing death sentences (MDE 13/02/2006).

#### Libya



Five Bulgarian nurses and a Palestinian doctor (Lobov) were condemned to death for a second time in December 2006. After a second grossly unfair trial, they were convicted of knowingly infecting hundreds of children with HIV in a hospital in the city of Benghazi. The case claims that confessions used in evidence against them were extracted under torture. Evidence produced by Libyan medical experts was questioned in international medical reports, who were not allowed to testify.

All given the authorities to rescind the death sentences. Only one trial will uncover the truth about this tragedy, bringing justice to the children who were infected and the families of the more than 50 who have since died.

See the film May 2006.

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