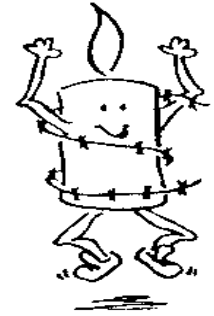




DECEMBER 1997

Amnesty International Urgent Action Newsletter



URGENT ACTION FOR UNIVERSAL RIGHTS

On 10 December 1948, the world said *NO MORE* to cruelty and injustice, and adopted the Universal Declaration of Human Rights (UDHR). As we approach the 50th anniversary of that visionary document, UA NEWS focuses on the continuing role of the Urgent Action Network in protecting those facing imminent violations of UDHR principles.

“From the moment of birth, a human being has a right to life, education, adequate food, adequately paid work, the right to hold opinions without suffering for them... All these are human rights. Declarations against torture and so on are embodied in the Constitution, but this is on paper only: although drawn up by eminent statesmen, it is not carried out. Luckily the Universal Declaration of Human Rights cannot be rewritten by them, and at least it upholds a standard to the world.”

Mexican human rights defender, Rosario Ibarra, speaking to Amnesty International in London on 24 October 1997. She spoke of her belief in the protective power of AI's Urgent Action Network and said that it *“has helped to free many”* in Mexico.

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EXTERNAL

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WordPower

French poet Paul Éluard wrote his poem *Liberté*¹ in Paris in 1942, in a literary response to

*Je recommence ma vie
Je suis né pour te connaître
Pour te nommer*

Liberté

the Second World War and the occupation of his country. As part of the resistance effort, Allied planes dropped copies of *Liberté* over occupied France.

Six years later, on 10 December 1948, the United Nations drew together its collective response to the atrocities of the war in a document which laid out fundamental principles for the future of humanity. Fifty years on, it is time to refocus world attention onto this visionary text to ensure that it is not consigned to the past.

The Universal Declaration of Human Rights (UDHR) has been called “the world’s best kept secret”, yet it should influence the way every one of us around the world is able to live our lives. Few know what it contains, even fewer have seen a copy, yet it is supposed

to be made available to everyone around the globe.

By adopting it, governments promised to work towards a world without cruelty and injustice and to guarantee the basic rights of all their citizens. The Urgent Action Network, which focuses mainly on imminent breaches of the rights to life and freedom from torture as declared in Articles 3 and 5 of the UDHR, sees on a daily basis how far from this ideal we remain

half a century on.

In addition, the efforts of the UA Network, which itself will be 25 years old in 1998, remind us of the **universality** of the human rights declared in the UDHR. Whether it be dedicated volunteers in Taiwan or Poland sending appeals for people at risk in East Timor or Mexico, or a coordinator from the USA helping the team in Nigeria on to the e-mail network - the tens of thousands of UA activists from Egypt to Ecuador, from Malaysia to Israel, from South Africa to Spain, transcend nationhood to work for the principle, enshrined in Articles 1 and 2 of the UDHR, that **all** human beings are **equal** and entitled to **all** the Declaration’s rights and freedoms.

But this principle of universality is under attack, with international campaigning for the protection of human rights seen by some governments as culturally insensitive interference. Or we are told that economic development is more important than human rights. The UDHR, however, recognizes

freedom from fear and freedom from want as two sides of the same coin. People cannot advance their economic, social and cultural rights without the political space and civil freedom to do so. Torture and unfair trials can never advance a state’s economic development.

“Now I am out of prison, but the restrictions on freedom of expression continue. In Turkey, speech may still be a crime. So unfortunately we did not attain our main goal of changing the law. Nevertheless, public opinion made itself felt very strongly indeed. Hopefully, this experience has contributed in some way to an early solution, so that other prisoners of conscience will be released too. Please send my thanks to your Urgent Action Network whose support I was aware of, from first to last.”

Widespread international protest greeted the arrest on 20 October 1997 of blind Turkish lawyer E_ber Ya_murdereli, and he was released on 10 November. He had been facing 23 years in prison for a speech he made in 1991, in violation of his right to freedom of expression, as proclaimed in Article 19 of the UDHR.

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Final verse of *Liberté* by kind permission of *Éditions de Minuit*, Paris.

Literal translation: “And by the power of a word, I begin my life again, I was born to know you, to name you: Freedom”

Many of the rights enshrined in the UDHR have since been codified in human rights treaties. Instruments such as the International Covenant on Civil and Political Rights and the UN Convention against Torture translate the principles embodied in the UDHR into more detailed legal form. Once ratified or acceded to by states, these instruments are legally binding and their words are therefore the ones most often quoted at governments by rights activists.

But at the heart of the human rights movement remains the UDHR, proclaimed in 1948 by the UN General Assembly *“as a common standard of achievement for all peoples and all nations”*. We all have a role to play: *“every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance...”*. In the following pages, UA News seeks to illustrate how the UA Network, as one branch of a worldwide human rights movement, continues to play its part.

The Universal Declaration of Human Rights: by the power of its words, we can begin our lives again.

Taking liberties

International law, like Article 5 of the Universal Declaration of Human Rights, is unequivocal about torture.

It is absolutely prohibited, a legal obligation on governments which cannot be derogated from under **any** circumstances. At least that's the theory. In reality, state-sanctioned torture continues in a third of countries around the world and forcing governments to live up to Article 5 seems to be a challenge that will run into the long-term.

The lack of political will to eradicate torture, despite lip-service paid to this end, is reflected in the reaction of many governments when torture is alleged. For example, responses received by the UA Network often simply ignore the concerns raised, deny that the torture occurred, or blame "rogue" individuals in the security forces.

The authorities in Israel seem to be taking this disingenuousness a step further. Contrary to Article 5, and despite being a State Party to the International Covenant on Civil and Political Rights and the Convention against Torture, Israel has effectively legalized torture in official guidelines governing the use of force during interrogation. The Israeli Government not only accepts that "physical pressure" can be used against detainees, but also denies that this constitutes torture. The UN Special Rapporteur on Torture, and AI, disagree. In addition, ignoring the fact that, under their international obligations, there can be no excuse for torture, the Israeli authorities have attempted to justify the use of "physical pressure" when used against "terrorists".

"The interest of persons such as yourself is vital in the struggle against the use of torture..."

This attitude to international law means that UA work against torture in Israel must overcome a greater degree of official complicity. While government replies to the Network testify to this, feedback from lawyers and former detainees in Israel continues to illustrate the importance of the Network's efforts to protect detainees in interrogation.

"We would like to thank you and all your members through the whole world very much for all your help and support we got through the letters and faxes concerning our detained son Muhannad Abu Rumi. Your support gave us hope and courage to go on and it supported our son in his crucial and hard experience. He received psychological courage and power when he knew that there are people out in the world who really care about prisoners and human rights... Best regards, Muhannad Abu Rumi's family"

Likewise, car mechanic Asam Halman and his lawyers asked for

their thanks to be conveyed to the members of the UA Network whose rapid response contributed to preventing torture being used against Asam while he was in Israeli custody in July and August 1997.

HaMoked, an Israeli human rights organization working with detainees held by the Israeli authorities, wrote to members of the UA Network following appeals concerning a detainee at risk of torture in April 1997. *"It is with great pleasure that we received a copy of the letter you sent to the Israeli Prime Minister concerning the torture of Iyad Abu Hamdieh. The interest of persons such as yourself is vital in the struggle against the use of torture by Israel."*

Into the breach

Bahrain, March 1997: a young man is arrested in a dawn raid on his home, apparently for transmitting information via the Internet about the situation in his country. The UA Network appeals for him to be protected from torture, but also calls for his release if he has been detained for exercising his right to freedom of expression and his right to *“impart information and ideas through any media and regardless of frontiers”* as set out in Article 19 of the Universal Declaration.

Although the majority of UAs relate to concerns which fall under Articles 3 and 5 of the UDHR, the UA Network often finds itself urging governments to respect other principles which they adopted in 1948. This is no more ironically illustrated than in the case of Turkish citizen Osman Murat Ülke. His belief in the right to life (Article 3 of the UDHR) has led to his right to freedom of conscience (Article 18) being violated, and to AI's involvement in his plight. His public

burning of his call-up papers and refusal to perform military service because of his belief that *“killing a person is the most obvious way of violating the right to life”* resulted in his arrest on 7 October 1996. Several waves of UA appeals at crucial moments have helped keep up the pressure on the Turkish authorities to release Osman and change the system of conscription to allow for conscientious objection.

The rights to freedom of expression and association, enshrined in Articles 19 and 20 of the UDHR, are frequently violated in the power struggles between ruling and opposition political parties. In September 1996, a court in Tirana, Albania, found Timoshenko Pekmezi and his co-defendants guilty of conspiring to re-create the former Albanian communist party, banned since 1992. Part of the UA Network had embarked on a prolonged action on this case in early 1996, when AI had feared that the defendants' rights under Articles 20, but also under he was imprisoned by the Russian authorities for his contribution to a report by the Norwegian

environmental group, the Bellona Foundation, on the radiation

Article 10 (right to *“a fair and public hearing by an independent and impartial tribunal”*) were at risk.

After finally being released by presidential decree on 29 December 1996, Timoshenko Pekmezi, wrote to AI *“Words are too poor to express the gratitude and thanks of my mother for the return of her son, my wife for the return of her husband, and of my children for the return of their father... You were the only organization outside and inside the country (as far as I know) which raised its voice for the rights of citizens... unjustly denied by the government in power. A democratic system should never punish and imprison its citizens because of their ideas and ideals. We wish you every success in your humane work...”*

dangers posed by the Russian nuclear submarine fleet. The UA Network intervened early in this case, whose importance cut so clearly across borders, and in December 1996 the news came that Nikitin had been released pending trial. The former naval officer

Aleksandr Nikitin's rights under Article 19 were violated when

wrote: *"I would like to thank you for your participation in my release...I would also like to express my gratitude for the fact that my work on problems related to nuclear safety as well as my conviction that it is a human right to live in a healthy environment, have been met by understanding and support from your group ... I am convinced that the international attention and support, which you, among others, have initiated, will influence the further judicial proceedings in the case, so that these will be in full conformity with universally accepted international principles and with Russian legislation"*. AI continues to campaign for the charges against Nikitin to be dropped.

Other environmental activists, as well as land rights campaigners, continue to face violations of UDHR principles, particularly the right to unite and organize non-violent protest activities, as envisioned in Article 20, *"Everyone has the right to freedom of peaceful assembly and association."*

Members of the Tepoztlán community in the Mexican state of Morelos have been campaigning peacefully to stop a multi-million dollar government-sponsored project to build a golf course and tourist complex on land they

"I was curious to know who had written to me from abroad"

consider sacred. At times their campaigning has met with a violent response. After one peaceful demonstration in April 1996, 64-year-old Marcos Olmedo Gutiérrez was extrajudicially killed by members of the security forces, and 34 community members were arrested. A UA was launched and the 34 were released, but appeals were renewed in July when

members of the community were threatened because of their continuing peaceful campaigning. After this second round of appeals, the threats abated, with sources inside Mexico believing that this was a result of international appeals. They asked for their thanks to be passed on to those who had sent appeals. The UA Network was reactivated in January 1997, when four Tepoztlán community activists were arrested as prisoners of conscience. One, a 16-year old, was released after a few days, and the other three were released in September. However, Gerardo Demesa Padillo, a teacher from the community arrested earlier, was sentenced to eight years in prison as a prisoner of conscience on 19 September.

On 25 June 1997, 42 members of the *Dayak Iban* indigenous community in the Malaysian state of Sarawak were arrested as they were trying to

Brazilian land reform activist Diolinda Alves de Souza's right under Article 9 of the UDHR not to be subjected to arbitrary arrest was violated when she was taken into custody in March 1996, in part apparently in an attempt to force her husband, José Rainha Júnior, out of hiding. Released after a UA was issued on her behalf, she recently visited Europe to campaign against her husband's subsequent conviction. She told AI in August 1997 that on the day of her release the prison authorities had given her

Turkmenistan journalist, Yovshan Annakurbanov was released on 12 November 1997, eight days after a UA was issued on his behalf. His release was reportedly influenced by international appeals, including from the UA Network.

release Njawe. The Herald understands that fax machines were running unceasingly, receiving messages from institutions and individuals across the world." From: Front page of Cameroonian newspaper, *The Herald*, 18-19 November 1996. On 31 October, AI had issued a UA on behalf of Pius Njawe, imprisoned in Cameroon in violation of his right to freedom of expression as proclaimed in Article 19 of the UDHR.

negotiate a peaceful settlement in a land dispute with an oil palm plantation company. The UA Network protested against this repression, concerned for the detainees' well-being and the fact that their detention appeared to violate their right to peaceful assembly.

The group were released within 10 days, and the local NGO supporting the case wrote: *"We would like to express our utmost thanks to all of you who showed support and wrote appeal letters to the Malaysian/Sarawak authorities which put pressure on the government."*

a mass of letters. *"I was curious to know who had written to me from abroad, and it was then that we saw that they were from Amnesty International. In this sense, as someone who has had first-hand experience as a prisoner, I see that Amnesty has a fundamental position in the defence of human rights... it is the organization's ability to work within a global context, rather than in any specific areas, that makes it so fundamentally important"*.

"...thank you for your participation in my release... I am convinced that the international attention will influence the further judicial proceedings"

The UA Network has also been working on behalf of Diolinda's husband. He was sentenced to more than 26 years' imprisonment on what AI believes are fabricated charges of murder, part of a continued policy of harassment against land reform activists by the Brazilian authorities, in violation of the right to freedom of association. AI also believes that his trial was unfair and breached his rights under Articles 10 and 11 of the UDHR. Rapid appeals were launched in September to try to get his scheduled second trial (in effect his appeal) moved to the state capital where he would have a greater chance of a fair hearing. Eight days later, the news came that his trial would be moved. The Network's efforts are thought to have been an important contribution to this positive outcome.

This is one of the most prominent political cases in Brazil for years, and it has been crucial to have the UA Network's involvement at moments when a

rapid response has been needed to back up longer term campaigning. José Rainha is a leading figure in the *Movimento dos Trabalhadores Rurais Sem Terra* (MST), Landless Rural Workers' Movement, an unprecedented social movement calling for agrarian reform in a country with some of the most unequal land distribution in the world. While AI takes no position on this subject *per se*, it is very concerned that if José Rainha's conviction is upheld it will set a disturbing precedent, and others in Brazil could find themselves similarly targeted for exercising their right to non-violent land activism. If jailed, he could remain a prisoner of conscience for many years in a country where prison conditions often amount to cruel, inhuman or degrading treatment. MST wrote to AI: "*We would like to thank you very deeply for your solidarity. Your contribution is very worthwhile in helping us to continue this hard fight.*"

The only option for many people under threat of serious human rights violations is to flee their country and, as is their right under Article 14 of the UDHR, "*to seek and to enjoy in other countries asylum from persecution*".

In early 1997, the Turkish authorities decided to send Iranian asylum-seeker J.H. back to Iran, despite the fact that he could face torture or execution on return. On 30 January, a UA was launched to try to stop this *refoulement* going ahead. As a result of the combined efforts of the UA Network, J.H.'s lawyer in Istanbul, and AI Spain, the Turkish authorities reversed their decision, and in

Three years after the adoption of the UDHR, the international principle of non-*refoulement* - that people should not be forcibly returned to countries where they could face human rights violations - was enshrined in the 1951 UN Convention relating to the Status of Refugees. As the world refugee crisis deepens, the UA Network is increasingly being called upon to urge adherence to this principle.

mid-February, J.H. was reunited with his brother in Spain.

In February 1997, Albert Kayumovich Musin was arrested in Moscow and was facing imminent deportation to Uzbekistan where he risked becoming a prisoner of conscience. On 6 March, 10 days after UA appeals were launched, this journalist and human rights defender was released. He has since been accepted for resettlement from Russia to Finland.

The UA Network's involvement has been crucial at moments when a rapid response has been needed to back up longer term campaigning

Rachida Ben Salem's husband has already exercised his right to asylum in a country outside his native Tunisia, but since then the rights of Rachida herself have been held in contempt by the Tunisian authorities. For years, she has been denied a passport and subjected to serious harassment, simply because of her relationship to her husband. This has included arbitrary arrest, in breach of her right under Article 9 of the UDHR, and raids on her home which have shown scant regard to her right to freedom from arbitrary interference in privacy and family life as proclaimed in Article 12. In May 1997, the UA Network became involved after she was arrested with her two daughters in southern Tunisia near the border with Libya. Four days after the UA was issued, and 15 days after her arrest, her incommunicado detention, and therefore the threat of torture, was lifted. She was transferred to prison and in September was sentenced to over two years in prison. Official replies to UA appeals on her behalf have contained serious inaccuracies.

For example, the authorities claim she was arrested on 26 May, implying that she was held without charge for four days rather than 15, and deny that her two young daughters were arrested with her (in fact they were released in the days before the UA was issued). But the responses do state that she was arrested on the basis of her intention to leave the country in order to join her husband in the Netherlands, confirming that her right under

Article 13 of the UDHR, "*Everyone has the right to leave any country, including his own...*", has been violated.

Article 13 goes on to state everyone's right to return to his or her country. It is not yet the case that China's best-known dissident, Wei Jingsheng, will be able to do so free from fear of re-imprisonment.

He left his country on 16 November 1997, after being released on health grounds earlier that day. A few hours before, his sister Wei

spent most of the past 18 years as a prisoner of conscience, in violation of his fundamental rights under the UDHR. His latest 14-year prison sentence for "subversion" had been due to expire in 2009, by which time the UDHR would have passed its 60th year.

Back to Bahrain, September 1997: a man is arrested, apparently because he spoke about the political situation in his country in an international phone call. History seems to be repeating itself. The UA Network is alerted once again, to continue its work of translating into action the letter and the spirit of the UDHR.

Shanshan had sent a message to AI: "*Dear friends, it is likely that Wei Jingsheng will soon be released on medical parole, and in one or two hours will be on a plane to America. This is a wonderful thing which will save his life. This is the result of everybody's hard work, particularly Amnesty International's unstinting efforts. I just wanted to let you know and say a big thank you.*"

The UA Network had appealed for his release in mid-1997 when there were renewed fears for his health and safety in prison. In doing so, the Network had joined the long-term campaign for Wei Jingsheng, who has

On 14 September 1993, an Urgent Action was issued for Abdelhaq Rouissi. It was an unusual case for the UA Network, given that Abdelhaq, an active trade unionist in Morocco, had “disappeared” 29 years previously, on 4 October 1964.

Years after he went missing, released prisoners said they had seen Abdelhaq Rouissi in secret detention. Then in 1991, more than 300 people were freed in Morocco after up to 18 years being “disappeared” in horrifying conditions. They were the same people whose very existence the Moroccan government had denied for years. Despite these official denials, AI members had continued to campaign for the “disappeared” year after year, and in 1991 their efforts were rewarded.

There was still no news of Abdelhaq Rouissi, however. Until 1993, that is, when fresh reports indicated that he was alive, but so sick that the authorities dared not release him. The UA Network threw its weight behind a massive international effort to get to the truth. But the authorities remained silent, as they have done ever since.

Abdelhaq’s “disappearance” flouts practically every word of the Universal Declaration of Human Rights, and has done so for two-thirds of the Declaration’s lifetime. His family are subjected, every day, to what can only be described as cruel and inhuman treatment - the suffering of all families of the “disappeared” everywhere. When the UDHR reaches its 50th anniversary, Abdelhaq’s family will have lived in the dark for 34 of those years. As we prepare to commemorate the day the international community agreed a vision of a world without cruelty, surely the perfect contribution from the Moroccan Government would be to say where Abdelhaq Rouissi is.

Below is a dedication to him, written by an AI member at the time when the Urgent Action Network was sending its appeals to the Moroccan authorities. It is a story of hope inside the prison cell and of the search for the truth outside. It is updated only to take account of the years that have passed since the UA in 1993. For now, it is the only update to that Urgent Action that we can issue.

To Abdelhaq Rouissi

I’m alive, still. My nails are very long, they need clipping. They grow with the years, still, with each day that passes out. Shadows grow, deepening more solid around me. Dark playing on darker defines the furniture of my cell. It builds cement walls, floor, cement bed under me, into something solid. Night leans in on me heavily, again. From a long way off, my ears relate to me the same creeping message from an insect world - “day was, now we alone are, day was, now we alone are”.

What is there left for me to dispute? Earth still spins out there, but black, a tooth pulled out of a once smiling face.

Time to bang my head again, against the wall behind. If I could still move enough, to lean forward and down and bang my head hard against the floor - cement tears skin, draws blood - it crawled along my face, was warm, sticky, presumably red; then it dried and crumbled away and off, leaving the need to draw more out, growing as I grew too weak to bleed.

When? When did they arrive, the others? Each one held in their own single cement egg. We immediately established our kinship. We tapped out our connections in code, to the walls. We befriended the walls and they tapped to each other. We licked our knuckles, kissed the bruises and tapped again. Sometimes, even, we let out shouts. Our voices, prohibited, inarticulate giants lashed down to whispers, loud with love, racing up from curled-in toes to the tips of our hair electrified with hope.

Then. In turns, in multitudes, silences arrived, and stayed, a shroud fell and wrapped itself around the tappings, whipped them away.

I scratched marks on the wall, single strokes, keeping silent count, keeping my nails trim. Then came the time when I forgot what the marks meant, each single stroke. Damned, I chanted "two and two make four", as an atavistic curse, because I couldn't remember why, what for.

And yet something moves, words, still. "I must survive, I must survive as long as my nails." Behind the banner-words, I utter the commands of a malevolent dictator - (I dimly know I knew one once; cruel, small) - and wait, curious even.

The hands of an older, much older man struggle to rise, they shake and flap, and all at once break free. For the space of a breath, they flutter and twitter, besotted butterflies, to each other. They clutch at the air, struggling with an invisible bird spurning both capture and caress. Finally, they swoop and dive and land heavily on the old man's knees, clawing at the worn shiny cloth of his trousers, through which bone pushes in swollen clumps. The old man cannot order his hands up again, cannot have them wipe gently away the stained spittle crawling down from the corners of his trembling mouth. His eyes wait. Dull around the edges, eggs burnt at the breakfast for a wedding cancelled long ago and forgotten in a distant kitchen. He waits.

Somewhere, his sweet face, his shy smile, his eyes of thirty-three years ago wait, cupped gently in multitudinous palms.

The old man starts. *"Obstinate", they said. Beat me for my stories. Spat them out and said "Disappear".*

Well, I can't. I know, I've tried. In deepest night, I gathered my story in, though it timidly sought to snare. Cast it out, a web falling into unset cement. Wanted it to dissolve, but at the last minute pulled it back, unpicked and rethreaded it.

The old man stirs. *Now. I don't want to bang my head. I have not lost my story. Where did it come from, this vision, in the dark, this reflection, nearer than the unseen moon in my eyes? It's not a memory. Or it is a present memory. I always kept the gift of sensing dawn. So, at that ever-returning point where day overtakes night, at the start of what must be today, a promise came humming, urgent, into my head, from many distant voices, from now - how could I beat it out against a wall?*

A play of shimmering shadows in front of me, a soft whispering, impossibly lighter than the dark of the years, impossibly louder than the silence. A dove of million wings fluttering into my crooked arms, bearing not a branch, but a whole tree, with roots too deep and wide to count. Then. A leaf, dropped onto my crooked lap, warm, red. Turning it over, I see, traced in bold letters, my name.

Today. Today my ears relate to me, shouted and echoed over every roof, my story. Far into tonight, I will make my appearance, irresistible. Held in multitudinous arms I will recount, in manifold ways, in intricate detail, with the same end, how dusty feet kick over the mightily-infested crown and cry "Love us now for anyhow we are greater than thee".

The old man begins to smile shyly in the dark. He lays himself carefully down on the cement bed, gently wraps himself in his blanket, and prepares to rest.

The eyes of thirty-three years ago wait, brave, sweetly, and not for long.

Article 3 of the UDHR states that *"Everyone has the right to life, liberty and security of person"*. But to save the life of a person under threat of death at the hands of their government remains the UA Network's most fundamental challenge.

LIFE SUPPORT

Is an execution the ultimate illustration of a state's failure to address its social or political problems? Perhaps. What is certainly true is that protecting individuals whose lives are under threat from their own governments is the UA Network's ultimate challenge. After all, when a state kills its own citizens, through the courts or extrajudicially, some of its officials may well have reached a mind-set impermeable to international appeals to spare the life of any particular individual. But evidence that such appeals can be successful continues to emerge.

AI's belief that the death penalty is incompatible with Article 3 (as well as Article 5) of the UDHR is reflected by the stance of the 99 countries which have abolished capital punishment in law or practice. After years of opposing imminent executions, the UA Network can take its share of the credit in this progress towards worldwide abolition.

Of the remaining nations, a small number continue to account for the majority of executions. The UA Network understands only too well the challenge of getting this hard core to accept that the death penalty is not an effective method of crime prevention, but rather is a human rights violation which has no place in a modern society. The fact that the death penalty is not *explicitly* named in the UDHR may have made it easier for such governments to prolong their attachment to this punishment.

China, Ukraine and Russia, all worked on by the UA Network during 1996, accounted for 92% of

executions recorded worldwide during the year. In Ukraine 169 people were executed despite that country's supposed commitment,

committed the murder in question, gave particular cause for concern. Three rounds of urgent appeals were launched in late 1996 and early 1997

made on joining the Council of Europe, to a moratorium on executions. Although executions continued there in 1997, with 13 people executed between January and March, two young Ukrainian men had their lives saved and their death sentences commuted to prison terms after UA appeals. The mother of one, Andrey Yevtemy, wrote to AI: *"I want to thank you so much for your support, and for your help in getting Andrey's death sentence commuted. Although he was given a very long prison sentence - 20 years - we are delighted that he will live. From now on it is up to us, to Andrey and me... I am very grateful for your help and thank you from my heart."*

"Thank you for saving my son's life"

The speed at which the case of fellow death row inmate Sergey Vysochansky was being processed, and claims that he may not have

as events progressed. Then Sergey's mother wrote to AI with the news that on 7 March President Kuchma had commuted her son's sentence to 20 years in prison. *"Thank you for saving my son's life... I am so grateful for your thorough work with the Ukrainian authorities. You helped me to get my son back, to save his life. Your help now allows us to continue the battle against the illegal, unfounded sentence passed on my son..."*

Under the provisions of an amnesty decreed by President Saparmurad Niyazov on 21 June 1997, 222 prisoners on death row in Turkmenistan reportedly had their death sentences commuted to prison terms. One source in Turkmenistan felt that concerted action by AI, including numerous actions by the UA Network, was an important factor in the decision.

Further east in the former Soviet Bloc, the death sentence against Nikolai Sokolov was commuted to 15 years' imprisonment in late December 1996, with contacts in Kyrgyzstan believing that UA appeals played a crucial role in saving his life. But celebrations over this, and the news from Kazakstan early in the year that Azer Bashirov had had his death sentence commuted, were dampened by subsequent events in the case of Kazakstan death row prisoner Oleg Amiranovich Gorozashvili. Urgent appeals were launched in January when it was feared that Oleg had entered the final 48 hours of his life after reports that he was being moved to Almaty prison, where executions are carried out. A day later, official assurances were given that he had not been transferred and would not be executed until doubts over his conviction had been properly investigated. However, four days later, sources again reported that he

... a graphic illustration of how hard it is to stop a government apparently intent on carrying out an execution...

appeals were renewed. Twice in the following weeks, AI received reports that he was still alive, raising hopes that the authorities were wavering under the immense domestic and international pressure, which is believed to have led to his previous transfers being suspended. Then on 22 April 1997 the process of moving him to Almaty restarted, and despite more UA appeals sent in the hope of changing events during the two-day trip between prisons, Oleg Gorzashvili was executed later that week. As far as AI is aware, the authorities never carried out the promised investigation, graphically illustrating how hard it is to stop a government apparently intent on carrying out an execution.

Not all death penalty UAs concern individuals under immediate threat of execution. The UA Network is sometimes called upon to intervene in situations where a government looks set to backtrack on

in 1997, AI's Portuguese Section had lobbied hard against a proposed amendment to the Portuguese Constitution which would put some prisoners extradited from Portugal at risk of the death penalty. But as the parliamentary decision moved ever closer, it became apparent that rapid and massive international intervention was needed. Thousands of appeals were launched from the UA Network to the Portuguese authorities.

In September 1997, AI received confirmation that the constitutional amendment had been abandoned and no one would be extradited from Portugal who might face the death penalty as a result. AI Portugal is very happy with the outcome and the support of all who sent appeals.

This is a very important victory. Portugal has a history of strong opposition to the death penalty - it abolished it in 1976 with a constitution which, more explicitly than Article 3 of the UDHR, states: "Human life is inviolable... In no case will there be the penalty of death". If passed, the amendment would have been seen by other countries as a weakening of Portugal's resolve in the worldwide struggle against the death penalty.

The fact that the USA, given its major influence in the world, continues to judicially execute a number of its citizens remains a cause for deep concern, and positive news on UA cases there is scarce. That many US political leaders seem deeply attached to the death penalty was illustrated in one case with a positive outcome, that of Thomas Thompson, who had his death sentence overturned hours before he was due to be executed in August 1997. California's Governor said it was the decision of a "coterie of liberal judges" and the state's Attorney General described the decision as "inexplicable".

was being moved to Almaty, and UA its anti-death penalty stance. Earlier

If further illustration were needed, it came with the execution in Missouri on 22 October 1997 of Alan Jeffrey Bannister despite a massive international campaign to save his life. US film actors including Sean Penn, Harry Belafonte, Gregory Peck and Ed Asner, as well as the police officer who originally arrested Bannister, all made appeals on his behalf. Asner had travelled to Missouri's capital on the eve of the execution to plead for the prisoner. Officials were flooded with letters, faxes, and e-mails from around the world urging clemency. The State Attorney General's office said that appeals were still pouring in on the day of the execution, and that the attention on the case was unprecedented in Missouri.

Hopes have been raised for Mexican national Cesar R Fierro, who received an indefinite stay a few days before he was scheduled to be executed in Texas on 19 November 1997. In a rare move so late in proceedings, the federal appeal court ruled that he should receive a full hearing. The UA Network had appealed for clemency, while expressing concern that his confession had been made under duress.

It is not only the death penalty that violates the right to life. Extrajudicial executions, by definition, blatantly flout this most fundamental of UDHR tenets. And just as in death penalty cases, campaigning to save the lives of individuals threatened by their governments is a massive task. It will face many tragedies along the way, such as the killing of Mario Calderón and Elsa Constanza Alvarado, gunned down in Colombia for defending human rights and the environment. Since their killings the UA Network has acted to protect the couple's colleagues, and continues to work on many cases of people whose lives are in imminent danger in

Colombia, a country sadly all too familiar with a lack of respect for Article 3 of the UDHR.

A UA was issued in April for Father Ezio Guadalupe Roattino Bernardi, a Catholic priest, after he was accused by military intelligence of being a "guerrilla collaborator", a label which for many others in Colombia has led to death or "disappearance". In August, Father Ezio wrote to those who had appealed for his protection: *"thank you very much for your helping and supporting card sent to the authorities of the*

Colombia Government and military forces chiefs. It has been very useful and important to protect my life. Your support gives me courage to go on defending the Indians' life and human rights. Please, continue to do it in other cases with other people whose life is in danger."

It is often difficult to know to what extent UA appeals influence the authorities in any particular case, but the experience of an AI delegation on a research trip in mid-1997 to a country facing a serious human rights situation provides some evidence of the power of the UA Network's efforts.

The delegation was sitting with an official of the Interior Ministry attempting to set up a meeting with the Minister himself. The official left the office for a few minutes to make the arrangements. One of the AI delegates then noticed that on the departed man's desk was a large pile of letters, opened and with the envelopes neatly attached. They were from members of the UA Network around the world on behalf of an individual whose life AI had feared was at serious risk in the situation unfolding in the country in question. It was apparent that the letters had been read and it may be significant that the subject of the UA had,

"(your support) has been very useful and important to protect my life... Please, continue to do it in other cases with other people whose life is in danger"

"Mario and Elsa, despite everything that has happened, you will always be with us because you are symbols of peace and life." Words on a placard at the funeral of Mario Calderón and Elsa Constanza Alvarado (photo, © CINEP), shot dead on 19 May 1997.

following the appeals, been granted a passport by the Interior Ministry and had been able to come out of hiding and leave the country into safety.

Perhaps something similar happened in the case of Reina Xiomara Zelaya, who found that she was not safe even after she fled to Costa Rica with her three young daughters in early 1996 after receiving death threats in her native Honduras. Throughout the last three months of 1996 in Costa Rica she was subjected to surveillance and intimidation by people believed to be members of the Honduran security forces, apparently because the father of two of her children, a former member of Honduran military intelligence, had testified during investigations into past human rights violations. Four times, the UA Network reiterated its appeals for the safety of the Zelaya family, while Reina made plans to seek asylum elsewhere. Finally on 11 February 1997, Reina and her daughters arrived safely in Sweden where she was granted permanent residency. She

"The fact that we are alive and safe is because of you"

Defending

the

Defenders

said: *"I don't know how to thank Amnesty International for everything you have done for me and my family. The fact that we are alive and safe is*

"It has been truly moving to have received so many messages of solidarity in response to the series of assaults and attacks that Equipo Pueblo, and I in particular, recently suffered. Although the official investigations still have not turned anything up, the letters and faxes you sent to our offices and to government agencies have been very important. They have assured us that we are not alone and they have shown the government that an entire international network is aware of anything that might happen to us, and is ready to respond."

Victor Manuel Quintana Silveyra, human rights defender and congressional deputy, Chihuahua, Mexico

because of you."

The UA Network had appealed for Víctor Manuel Quintana Silveyra to be protected after he was abducted, beaten and threatened in June 1997. His experience is frighteningly common among those around the world who campaign for their governments to respect the rights -

economic, social, cultural, civil or political - enshrined in the UDHR. The attacks and threats faced by such activists dramatically illustrate how, 50 years on, the principles envisioned in the UDHR are still far from being respected in reality. Victor Manuel Quintana's message

to the UA Network points to how international appeals are seen by many human rights defenders as essential back-up to their work when danger threatens themselves, their families and colleagues.

Koigi Wa Wamwere is a human rights activist well-known both in Kenya and by the UA Network. A new appeal was launched for him and two other Kenyan prisoners of conscience in December 1996 when their health was giving cause for grave concern.

After a week of appeals, the authorities released Koigi and he was able to travel abroad for medical treatment. Before he left AI spoke to him at the hospital: *"I am very, very happy for all the work that Amnesty International has done on my behalf"*. He requested that his thanks be passed on to the UA Network for its appeals, which he believes had a crucial effect in obtaining his release (as well as earlier preventing him being sentenced to death). Then in mid-January, after further UA appeals, his two co-detainees were

One Kenyan human rights defender, arrested in mid-1997, later related to AI how the police had "eased up" on him in illegal custody, and asked him *"who are you that Amnesty International considers you so important"*, once UA appeals began coming in.

Many situations require repeated action. During the early hours of 4 November 1996 the offices of CONPAZ, Coordination of Non-Governmental Organizations

also released so that they could obtain hospital treatment. One of the men's lawyers stated that *"AI's action was very helpful"* in obtaining this positive outcome, and thanked the UA Network for its efforts.

Later in January, other Kenyan human rights activists, members of the Kenya Human Rights for Peace, in San Cristóbal de las Casas, Chiapas, Mexico, were raided by attackers who smashed up office equipment and tried to set fire to the building. Then the CONPAZ administrator and his family were abducted. CONPAZ leaders received several threatening telephone calls.

But after a second and third round of appeals, CONPAZ were able to write to the UA Network: *"On behalf of the 10*

Commission (KHRC), were facing serious intimidation as the launch date for their campaign against police killings approached. A UA was issued and the KHRC later told AI that they were very grateful for the UA Network's intervention which they believed had helped to reduce the risk they were facing.

non-governmental organizations that make up CONPAZ, we thank you infinitely for your solidarity and concern for the recent incidents involving the burning of our offices and the kidnapping of our co-worker and his family... Fortunately, all of the national and international pressure helped a great deal, so our colleague and his family have been freed. While all this was happening, we felt very supported by your letters of solidarity..."

In May and June 1997, appeals were relaunched when trouble flared again. Dr Gerardo González Figueroa, CONPAZ chairperson, received a series of phone calls, threatening the lives of his daughters, and adding *“Let’s see if the bloody foreigners will defend your daughters when something happens to them”*.

The “bloody foreigners” called for the threats to be stopped. And it seems, at least for the time being, that the threats have once again ceased, and CONPAZ has been able to continue its invaluable work in the community. In October it sent another message of thanks to the UA Network for its latest efforts.

Nowhere have human rights defenders faced greater dangers in recent years than in Central Africa.

Many in Rwanda, Burundi and former Zaire have paid for their principles with their lives, as the crisis in the region has unfolded. The UA technique is not always the most effective way for AI to respond to such emergencies, and other parts of the organization have been focused on this work. However, the UA Network has recently worked on the cases of several human rights defenders in former Zaire, now the Democratic Republic of Congo (DRC), with, it seems, some success.

Nine days after a UA was initiated on his behalf, Didi Mwati Bulambo was released, with international appeals believed to have been an important contribution to this. He had been arrested in late August 1997 and held in a military camp.

transferred to hospital after severe beatings, raising serious concern for the well-being of Bertin Lukanda, who remained in a military camp in the west of the country, and also for

Asumani Dieudonné, who was arrested a day later, apparently for having informed the international community of the arrest of his two colleagues. Three weeks later, both Bertin Lukanda and Asumani Dieudonné were released, allegedly on the orders of a high-ranking military official based in Kinshasa some 1500km to the east, where the UA Network’s appeals had been targeted. In October, Bertin Lukanda and Diomba Ramazani wrote to AI:

“without your help, we would not have got out of this situation”

“We would like to thank you very sincerely for your understanding of our difficulties, for your efforts and your mobilization during our detention... We know that without your help, we would not have got out of this situation... We are determined to

pursue our human rights work... we are strengthened by the knowledge that you will not abandon us in the future...”

In its work to protect human rights defenders, the UA Network comes into contact with principles of the UDHR that fall outside of AI’s campaigning mandate, a further illustration of the indivisibility of the rights proclaimed in the UDHR. In the case of Zafaryab Ahmed, it is Article 4: *“No one shall be held in slavery or servitude”*.

Zafaryab Ahmed has long opposed bonded labour in Pakistan (a system by which people are sold into virtual slavery to pay off debts). He was arrested in June 1995 after writing about the murder of 12-year-old Iqbal Masih, a children’s rights activist who had spoken out against child bonded labour. Zafaryab Ahmed was released in September 1995 after repeated appeals by the UA Network.

But he still faces sedition charges because of what he wrote, in violation of his right to freedom of expression as proclaimed in Article 19 of the UDHR.

Meanwhile, the killers of Iqbal Masih, who was just four years old when sold into bondage, have never been brought to justice.

Another group of human rights defenders who may need future support from the UA Network is COFADEH, the Committee of Relatives of the Disappeared in Honduras, a country haunted by past human rights violations left unpunished. Anyone who campaigns to bring this impunity to an end puts themselves at risk. In this way, new violations are piled on to the old unresolved ones, further compounding the insult to the UDHR’s vision of justice (Article 8 *“everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law”*).

COFADEH and other organizations have long pursued the

perpetrators of past killings and “disappearances” in Honduras, which has led to threats and violence against them. In April 1997, protective UA appeals were launched after COFADEH’s Coordinator, Bertha Oliva de Nativí, received a phone call in which a man imitated the sounds of a person being killed and said “*this is how you’ll end up, bitch*”. Later in the year, Bertha

Mexico continues to feature in the workload of the UA Network, and human rights defenders there remain convinced of the importance of the UA Network. A prominent member of the Jaliscan Academy of Human Rights, Juan José Pelayo Zepeda, was threatened in late 1996 for his work on behalf of peasant and indigenous communities, resulting in a UA on his behalf. The group later wrote: “*Please receive our thanks for the valuable support offered to Juan José Pelayo Zepeda... without a doubt, if this prolific defender of human rights has been able to overcome the fear created by such threats, it has been thanks to the solidarity of the indigenous people themselves, and the valuable support of almost 300 AI sympathizers who sent appeals from 18 different countries... for his life, liberty and security of person to be protected. As a result he has been able to regain the legal and political conditions to continue his important humanitarian work...*”

A long-term Mexican human rights defender who has enthusiastically endorsed this sentiment recently is Rosario Ibarra (front cover). In 1975 Rosario’s son was abducted and “disappeared”. For two years she searched for him in

Oliva de Nativí met with members of an AI delegation to Honduras, and reiterated the importance of international appeals and solidarity to back up the work of COFADEH.

Similarly, in September Dr Ramón Custodio López, director of CODEH, another Honduran human rights organization, wrote to UA participants: “*Thank you for your prisons and via the courts and government offices, including 20 visits to the President, but without success. In the course of this search, she and her family realised they were not alone - others had loved ones who had “disappeared” - and Rosario decided to set up a campaign group, now known as “EUREKA” after its success in locating “disappeared” prisoners. She first came into contact with AI in 1977.*

Rosario Ibarra, now 70 years old, visited London in October 1997 and told AI of her concern for the current human rights situation in Mexico, and spoke of the importance of the UA Network in protecting those in danger (she herself appeared in a UA in September 1994). She recalled one of her early experiences with the UA Network after a young man, Mario Álvaro Cartagena López, “disappeared” in April 1978 in Mexico City. At the time she was attending an AI meeting in San Francisco, USA, where she asked for an Urgent Action to be initiated for the prisoner. Rosario told how the

UA led to his reappearance a week later “*because the*

“solidarity is a potent force against the injustices and violations”

solidarity, in calling on the Honduran authorities for effective protection for all members of my family and myself. Your support gives us strength in our adversities...” A UA had been issued in August for Dr López and his colleagues when they were facing heavy security force surveillance.

Mexican Government is very sensitive to international opinion.” She said that “*the UA Network has helped to free many*” since then, and she stressed how, all these years later, the UA Network remains crucial to the work of human rights defenders in Mexico.

This was confirmed when, in mid-1997, the office of the Miguel Agustín Human Rights Centre (PRODH) in Mexico City came under heavy surveillance by unidentified individuals, raising serious concern for the activists’ safety. A few days after a UA was issued, PRODH reported that the surveillance had been lifted and wrote to UA participants: “*To have the support of people like you who care about human rights issues not only gives us strength to continue our work, but also forms a sense of solidarity which is a potent force against the injustices and violations committed against the people of Mexico.*”

On the other side of the world, Turkish human rights activist _anar Yurdatapan was released on 10 July 1997, but trial proceedings against him continue. In a telephone call to AI, he sent his very best wishes and greetings to all who had sent appeals on his behalf after he was detained at Istanbul airport in April, but asks that the UA Network *“stays prepared as I will continue my efforts to find those responsible for the Guçlukonak massacre, to end the imprisonment of prisoners of conscience, and to work for peace.”*

“Another important factor is the role of bystanders, those members of society who are neither perpetrators nor victims, or outside individuals, organizations and nations... Opposition from bystanders, whether based on moral or other grounds, can change the perspective of perpetrators, and other bystanders, especially if the bystanders act at an early stage in the continuum of destruction...”

Even the behaviour of governments can be strongly affected by bystanders - individuals, groups, or other governments... Amnesty International have freed political prisoners all over the world simply by writing letters to governments.

A lack of protest can confirm the perpetrators’ faith in what they are doing...”

From: Staub, E. The Roots of Evil: The Origins of Genocide and Other Group Violence. New York: Cambridge University Press, 1989.