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International criminal tribunals & impunity: Senegal dismisses torture charges Habre / ICTY: request acquittal in 'rape trial' dismissed / exhumations Bosnia-Herzegovina / Canada ratifies ICC statute

Further news: UN women in Afghanistan not allowed to work / increase deaths in custody among indigenous Australians / measures controlling biological weapons / failure anthrax inoculation US military personnel / bill to release terminally ill prisoners Botswana / law outlawing genocide Colombia / CESCR General Comment 14 on right to health / arrest prominent sociologist Egypt / Kuwaiti women demand full political rights / account forced labour Burma / border guards Nepal to spot trafficking in women / MDC Nigeria warns doctors not to amputate in line with Sharia / torture in Urus-Martan, Chechnya / IHFHR accuses Russian FSB of abuses / OAU report Rwanda genocide / UN report Rwanda genocide / Mbeki blames poverty for Aids at Durban Conference / Durban Declaration: HIV causes Aids / torture reports Sri Lanka / trial Ayan and Kaya in Turkey continues / inmates with HIV or Aids denied treatment USA / Cuban doctors released by Zimbabwe

Meetings: ABA organises ICC discussion panel / BMA annual meeting

Appointment: Laurel Baldwin MD appointed Professor in Health and Human Rights, Trinity College, Hartford, USA

Publications

Amnesty International statements and reports

Angola. Freedom of Expression on Trial. June 2000 [AFR 12/08/00]
<http://www.amnesty.org/ailib/aipub/2000/AFR/11200800.htm>

Bosnia-Herzegovina. Waiting on the doorstep, minority returns to eastern Republika Srpska. July 2000 [AI index: EUR 63/07/00].

Summary: <http://www.amnesty.org/ailib/aipub/2000/SUM/46300700.htm>

Full text: <http://www.amnesty.org/ailib/aipub/2000/EUR/46300700.htm>

Brazil: A Waste of Lives: FEBEM Juvenile Detention Centres, São Paulo. July 2000 [AMR 19/14/00]

Press release: <http://www.amnesty.org/news/2000/21901800.htm>

Report: <http://www.amnesty.org/ailib/aipub/2000/AMR/21901400.htm>

Saint Lucia. Prisoner shackled and beaten for 11 months. 4 July 2000 [AMR 56/02/00]. (Press release)
<http://www.amnesty.org/news/2000/25600200.htm>

Also see the *St Lucia Star* on 5 July on this case:

<http://www.stluciarstar.com/Wednesday%20STAR%20Online/wedjul5/news4.htm#news1>

Zimbabwe. Harassment of opposition continues. 30 June [AFR 46/22/00]. (Press release)

<http://www.amnesty.org/news/2000/14602200.htm>

Also: On 7 June AI published "*Collateral Damage*" or *Unlawful Killings? Violations of the Laws of War by NATO during*

Operation Allied Force [in Federal Republic of Yugoslavia].

<http://www.amnesty.org/ailib/aipub/2000/EUR/47001800.htm> An article outlining AI's analysis -- The Kosovo conflict - NATO on trial -- is available in *Le Monde Diplomatique* July 2000. See:

<http://www.monde-diplomatique.fr/en/2000/07/02kosovo>

Human rights monitors from Amnesty International and the Federation Internationale des Ligues des Droits de l'Homme have been blocked from entering Tunisia when they arrived by air on 11 July. See AI's news release:

<http://www.amnesty.org/news/2000/53001500.htm> . A recent FIDH report setting out testimony of torture in Tunisia is available in PDF format at: <http://www.fidh.org/pdf/ksilaa.pdf>

Death penalty

USA - The president-elect of the American Bar Association urged US lawyers to support a death penalty moratorium, saying there is widespread unfairness and "gross injustice" in the way it is applied (*Chicago Tribune*, 10 July).

<http://cnews.tribune.com/news/tribune/story/0,1235,tribune-nation-68991,00.html> ; also see the ABA press release at: <http://www.abanet.org/media/jul00/barnettdeath.html>

Bill Clinton is to postpone the first execution by the US government in 40 years, the *Independent* (London) reported on 8 July. Juan Raul Garza, convicted for three murders, is scheduled to be executed on 5 August.

<http://www.independent.co.uk/news/World/Americas/2000-07/racism080700.shtml>

The *National Law Journal* wrote that "the past year has witnessed an historic consensus across the death penalty divide - that there might be something wrong with the way capital punishment is meted out in America. Now the hard part: how to fix it" (19 June).

<http://www.law.com/cgi-bin/gx.cgi/AppLogic+FTContentServer?pagename=law/View&c=Article&cid=ZZCE9U7K9C&live=true&cst=1&pc=0&pa=0&s=News&Explgnore=true&showsummary=0>

Orien Cecil Joiner, convicted of the murder of two women, was executed on 12 July in Huntsville, Texas, in what was the 25th execution in Texas this year (CNN, 12 July).

<http://www.cnn.com/2000/US/07/12/bc.execution.texas.reut/index.html>

International criminal tribunals & impunity

A Senegalese Court dismissed torture charges against the exiled Chadian dictator Hissene Habre on 4 July, Human Rights Watch reported. The decision came after a panel headed by Senegalese President Abdoulaye Wade removed the judge investigating the case and promoted the head of the Indicting Chamber who issued the ruling.

<http://www.hrw.org/press/2000/07/habre0705.htm>

ICTY

The ICTY has dismissed a request for acquittal by lawyers defending three Bosnian Serbs, accused of raping Muslim women and girls in the town of Foca in southeastern Bosnia-Herzegovina during the first months of the war in 1992 (*BBC*, 3 July).

http://news.bbc.co.uk/hi/english/world/europe/newsid_816000/816408.stm

The ICTY has published a press release on sites and the extent of exhumations in Bosnia-Herzegovina. The Prosecutor's forensic team will continue exhumations (5 July).

<http://www.un.org/icty/pressreal/p517-e.htm>

ICC

On Friday 7 July Canada became the 14th state to ratify the Rome Statute of the ICC.

The ICC will be formally established after 60 countries have ratified the Rome Statute. See the web-site of the Coalition for an ICC: <http://www.igc.org/icc/>

Further news

Afghanistan - The *BBC* reported on 10 July that the Taliban authorities have ordered the UN and aid agencies to dismiss all Afghan women working for them. Aid agency officials said the order could cause serious problems as many employ hundreds of local women to implement their community projects.

http://news.bbc.co.uk/1/hi/english/world/south_asia/newsid_827000/827304.stm

On 13 July the *Miami Herald* reported that after negotiations Taliban rulers agreed to rescind a new edict barring women from working for international relief agencies. <http://www.herald.com/>

Australia - Since the 1991 Royal Commission on Aboriginal Deaths in Custody, indigenous deaths had increased from 12 per cent of all prison deaths in the previous decade, to nearly 18 per cent according to the Australian Institute of Criminology. Indigenous Australians, who make up 2 per cent of the population, accounted for almost a quarter of deaths in police cells and prison in 1999. See the AIC press release <http://www.aic.gov.au/media/20000712.html> and the report:

<http://www.aic.gov.au/publications/tandi/tandi153.html> . See also *The Age*, Melbourne 13 July:

<http://www.theage.com.au/news/20000713/A2995-2000Jul12.html>

Biological weapons - The (British) Royal Society published this month a report entitled *Measures for Controlling the Threat from Biological Weapons*. Obtain the summary statement from:

<http://www.royalsoc.ac.uk/templates/statements/StatementDetails.cfm?statementid=115> or the full 28 page report from:

<http://www.royalsoc.ac.uk/templates/statements/StatementDetails.cfm?statementid=114>

The US policy to inoculate all military personnel against anthrax has been a failure according to Pentagon officials. 'Pentagon tells of anthrax policy failures' (*Chicago Tribune*, 13 July 2000).

<http://chicagotribune.com/news/nationworld/article/0,2669,SAV-0007130230,FF.html>

Botswana - The Prisons Amendment Bill has been tabled in Parliament, empowering the minister in charge of prisons on recommendation of a medical officer to release any terminally ill prisoner who can not be cared for in prison or who has been discharged from hospital and recommended to be cared for at home (*Panafrican Newsagency*, 1 July).

<http://www.africanews.org/PANA/news/20000701/feat6.html>

Colombia - President Pastrana signed a law that outlaws genocide and forced disappearances. In addition a commission will be created to investigate the fate of an estimated 3,000 missing people (*CNN*, 10 July).

<http://www.cnn.co.uk/2000/WORLD/americas/07/10/colombia.humanrights.ap/index.html>

CESCR - The Committee on Economic, Social and Cultural Rights has adopted General Comment 14 on the right to health (as specified in Article 12 of the Covenant on ESC Rights).

The CESCR's General Comment 14 starts: "Health is a fundamental human right indispensable for the exercise of other human rights. Every human being is entitled to the enjoyment of the highest attainable standard of health conducive to living a life in dignity. The realization of the right to health may be pursued by numerous, complementary approaches, such as the formulation of health policies, or the implementation of health programmes developed by the World Health Organization (WHO), or the adoption of specific legal instruments. Moreover, the right to health includes certain components which are legally enforceable." The comment was published on 4 July 2000 (E/C.12/2000/4, CESCR General Comment 14) and will appear in due course on the UN web site (

<http://www.unhchr.ch/html/menu2/6/cescr.htm>)

Egypt - The *New York Times* reported that the recent arrest of a prominent sociologist on suspicion of "defaming" Egypt has alarmed human rights advocates around the region who say it reflects a policy among Arab leaders toward political criticism that can be best described as 'killing the messenger' (10 July).

<http://www.nytimes.com/library/world/mideast/071000egypt-arrest.html>

Also see *CNN*, 9 July:

<http://www.cnn.co.uk/2000/WORLD/meast/07/09/egypt.human.rights.ap/index.html>

Kuwait - Kuwaiti women activists said that they would bring new court cases in pursuit of their demand for full political rights despite the Constitutional Court's rejection of four cases on procedural grounds, the *Jordan Times* reported (10 July).
<http://www.accessme.com/JordanTimes/Wed/news/news6.htm>

Myanmar - Myo Myo Knynt, 27, and Aung Htan, 18, escaped forced labour for the army and gave testimony of their experience in a Thai refugee camp, the *Sunday Times* reported (9 July).
<http://www.the-times.co.uk/news/pages/sti/2000/07/09/stifgnfar02001.html>

Nepal - Two female border guards watch every woman who crosses out of Nepal at the Kakarvitta border point, trying to spot those destined to be sold in brothels in India, the *Boston Globe* reported. The guards themselves had once been sold to Bombay brothels by people who promised them jobs in the city (10 July).
http://www.boston.com/dailynews/192/world/Former_Nepalese_sex_slaves_par:.shtml

Nigeria - The Medical and Dental Council of Nigeria has warned that any medical practitioner who participates in the amputation of human hand or leg not based on medical grounds will lose their licence (*Vanguard*, Doctors move against Sharia, 11 July).
<http://www.vanguardngr.com/wk107200/fp407070.htm>

Russian Federation (Chechnya) - According to witnesses, severe beatings and rape of Chechens is taking place in a former orphanage in the village of Urus-Martan now used as a Russian command post, the *Washington Post* reported (9 July).
<http://washingtonpost.com/wp-dyn/world/exussr/A938-2000Jul7.html>

CNN reported that the International Helsinki Federation for Human Rights has accused Russia of failing to stop abuses by the powerful FSB domestic security service, the successor of the Soviet-era KGB security service.
<http://www.cnn.co.uk/2000/WORLD/europe/07/07/rights.russia.reut/index.html>

Rwanda - *Rwanda: The Preventable Genocide*: the OAU Report of the International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda and the Surrounding Events, transmitted to the OAU on 29 May 2000, has now been made public at the OAU web-site where it is available in English and French:
<http://www.oau-oua.org/Document/ipep/ipep.htm>
Also see the *Washington Post* (8 July) for a review:
<http://washingtonpost.com/wp-dyn/world/africa/A117-2000Jul7.html>
<http://washingtonpost.com/wp-dyn/world/africa/A117-2000Jul7.html>

See also the report prepared by Ingvar Carlsson, Han Sung-Joo, and Rufus M Kupolati for the UN. *Report of the Independent Inquiry Into the Actions of the United Nations During the 1994 Genocide in Rwanda*, 15 December 1999. http://www.un.org/News/ossgrwanda_report.htm

South Africa - At the opening of the international AIDS conference in Durban on 10 July, President Thabo Mbeki blamed the AIDS epidemic in Africa on poverty rather than the HIV virus, the *Guardian* reported.
<http://www.guardianunlimited.co.uk/international/story/0,3604,341678,00.html>
The Durban Declaration, a declaration by scientists and physician affirming HIV is the cause of AIDS, has been signed by 5,195 physicians and scientist from 83 countries.
<http://www.durbandeclaration.org/>

Sri Lanka - The *Sunday Times* reports on torture in Sri Lanka from the perspective of the victim and the rehabilitation centre with comments from the police (9 July).
<http://www.lacnet.org/suntimes/000709/plus12.html#p12LABEL2>

Turkey - Further witnesses were heard in the trial hearing of Dr Alp Ayan and Günseli Kaya of the Human Rights Foundation of Turkey (Izmir branch) on 11 July. The Court Board decided to make another call to witnesses mentioned in previous hearings; to ask for relevant news articles and pictures; and to consider in the next hearing the deepening of the investigation. The next hearing was scheduled for 09:00hrs on 19 September 2000 (no link available).

USA - The *Progressive* reported that inmates with HIV or AIDS are being denied proper treatment and that the mistreatment appears to be widespread and may affect thousands of inmates.
<http://www.progressive.org/amc0700.htm>

Zimbabwe - *CNN* reported that two Cuban doctors who were held for more than a month by Zimbabwean authorities after seeking political asylum have been released and flown to Sweden (8 July).
<http://www.cnn.co.uk/2000/WORLD/africa/07/08/sweden.cubandoctors.ap/index.html>

Meetings

American Bar Association: "The International Criminal Court: Perspectives from Europe and the United States" (During the ABA 2000 Annual Meeting). Date: Wednesday, 19 July, 9:00 - 12:00 hrs. Venue: Chancery Room, The Law Society, 113 Chancery Lane, London, U.K.. A panel of experts, including government officials, bar leaders and NGO representatives will discuss the evolution of the ICC statute and challenges that face the ICC in operation.
(Also see ABA entry under Death Penalty above).

BMA Annual Meeting decision on refugee doctors, London June 2000
The Annual Representatives Meeting supported a motion from the junior hospital doctors conference on refugee doctors, asking the BMA to establish a database of doctors willing to act as mentors, publish a suitable information pack, develop appropriate clinical attachments, and provide financial support for examinations and registration purposes where financial need was demonstrated (BMJ, 8 July).

Appointment

Laurel Baldwin MD has been appointed Henry R Luce Professor in Health and Human Rights at Trinity College in Hartford, Connecticut, USA (<http://www.trincoll.edu/depts/humanrights/>). Dr Baldwin was one of two Research Fellows working at the Health and Human Rights Project in Cape Town, South Africa and is coauthor of the book, *Ambulance of the Wrong Colour* (Cape Town: UCT Press, 1999), about the effects of apartheid on health, ethics and human rights in South Africa (<http://www.healthlink.org.za/hlink/info/ambulance.htm>) .

Publications

FIDH has published its July 2000 newsletter: <http://www.fidh.org/pdf/n39.pdf>

Banatvala N, Zwi AB. Public health and humanitarian interventions: developing the evidence base. *BMJ* 2000;321:101-105 (8 July) <http://www.bmj.com/cgi/content/full/321/7253/101>

Coker RJ. *From Chaos to Coercion: Detention and the Control of Tuberculosis* . New York, St. Martin's Press, 2000, 261 pp. For review see: <http://www.nejm.org/content/2000/0343/0001/0073.asp> (6 July)

Missailidis. K , Gebre-Medhin. M. Female genital mutilation in eastern Ethiopia. *Lancet* 2000; 356: 137 - 138 (8 July)
<http://www.thelancet.com/newlancet/sub/issues/vol356no9224/body.research137.html>

Sheik M et al. Deaths among humanitarian workers. *BMJ* 2000;321:166-168 (15 July)
<http://www.bmj.com/cgi/content/short/321/7254/166>

Turner S. Psychiatric help for survivors of torture. *Advances in Psychiatric Treatment* 2000; 6:295-303.
<http://apt.rcpsych.org/cgi/content/full/6/4/295?>

Ugalde A et al. The health costs of war: can they be measured? Lessons from El Salvador *BMJ* 2000;321:169-172 (15 July) <http://www.bmj.com/cgi/content/full/321/7254/169>

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