
AMNESTY INTERNATIONAL HEALTH PROFESSIONAL NETWORK
Human rights information and web links for health professionals
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-----**RECENT AI STATEMENTS & REPORTS**

USA: Oklahoma Shamelessly Celebrates its Violation of International Law and Deepens its Isolation [AI Index: AMR 51/120/99, 2 August 1999]. Oklahoma's Attorney General Drew Edmondson on 29 July 1999 issued a news release praising his deputy, Assistant Attorney General Bill Humes, for his "flawless" and "tireless work in the Sellers case", through which he said Humes "has made outstanding contributions to the enforcement of the death penalty in Oklahoma". Sean Sellers was executed on 4 February 1999 for crimes committed when he was a 16-year-old boy. Amnesty International said it was appalled by the governor's statement. See

<http://www.amnesty.org/news/1999/25112099.htm>

Federal Republic of Yugoslavia / Kosovo Province: Let's Do it Right. In this news service, Geraldine Wallman, a psychotherapist from New York City who has been a Balkans country specialist of Amnesty International USA since 1993, reflects on a three-week mission to Kosovo during which she documented human rights abuses suffered by ethnic Albanian Kosovar refugees. See <http://www.amnesty-usa.org/news/1999/kosovo07291999.html>

Japan. Amnesty International Welcomes Japan's Accession to the Convention Against Torture [AI Index: ASA 22/06/99, 30 July 1999]. Japan's accession to the CAT took effect on 29 July 1999. Amnesty International welcomed the accession as a step forward for human rights in Japan, but urged the authorities to undertake concrete measures to ensure that all of Japan's laws and practices are brought into line with the Convention. See

<http://www.amnesty.org/news/1999/32200699.htm>

Togo. Amnesty International Rejects Categorically Accusations of Manipulation. [AI Index AFR 57/26/99, 23 July 1999]. AI strongly rejected suggestions made by the French President Jacques Chirac that its latest report on Togo was the result of manipulation, and pointed towards independent press reports and a report of the *Ligue Beninoise des Droits de l'Homme* which confirmed AI's findings. The organization welcomed the Togolese government's announcement that an international commission of inquiry on human rights violations is to be established and urged that it be independent, impartial, and competent. See

<http://www.amnesty.org/news/1999/15702699.htm>

-----**DEATH PENALTY NEWS**

USA/Texas: An article published in the US paper *Christian Science Monitor* on 29 July 1999 looks at Texas' Harris County, a state that has executed more prisoners than all other US states combined. Nearly one-third of the death-row inmates come from Harris County, making it America's unofficial death-penalty capital. See

<http://www.csmonitor.com/durable/1999/07/29/fp1s4-csm.shtml>

USA/Texas: Charles Anthony Boyd, sentenced to death for capital murder in November 1987, was executed by lethal injection on 5 August 1999. Although a prison report was available at Boyd's trial which stated that in 1983 Boyd's IQ had been measured at 67, his defence lawyers failed to present this evidence of mental retardation. Two experts testifying in a 1995 federal court hearing on a claim of inadequate counsel concluded that Boyd was not faking his mental impairment and that they believed that he was functioning in the mentally retarded range at the time of the crime.

USA/Florida: A circuit judge ruled on 2 August 1999 that Florida's electric chair is not cruel or unusual punishment. Judge Clarence Johnson said Allan Lee Davis "did not suffer any conscious pain while being electrocuted in Florida's electric chair" on 8 July 1999, and "suffered instantaneous and painless death once the current was applied to him". Witnesses had seen

blood, which in a post mortem was attributed to a nosebleed, seeping from under the black shroud over Davis' face during the execution. Governor Jeb Bush called the decision "a victory for justice in Florida" and said he was confident that Florida's Supreme Court will uphold the ruling when it reviews the decision on 24 August 1999. See <http://www.herald.com/content/archive/news/valdez/docs/014235.htm>

USA/North Carolina: On 3 August 1999, the Supreme Court of North Carolina stayed the execution of Joseph Timothy Keel who was scheduled for lethal injection on 6 August, convicted for the 1990 murder of his father-in-law. In an affidavit obtained by the defence, a psychologist stated that the defence had never asked him to testify at the guilt/innocence phase of the trial and that if they had asked him to, he could and would have testified that at the time of the crime Keel's "thought processes were hampered by his cognitive dysfunction and he could not fully understand the consequences of his actions". He further stated that technology that has since become available could help to determine the extent of Keel's brain dysfunction. Keel, whose IQ has been measured at 78, reportedly suffers from organic brain damage.

Botswana: In the first case in Botswana where two convicts who have exhausted all avenues of appeal have obtained further court hearings, the Botswana Centre for Human Rights is challenging the constitutionality of the death penalty. In January 1999, a judge had granted the men an eleventh-hour stay of execution by hanging, ruling that it constituted cruel punishment and that a two-year delay in carrying out the death sentence was cruel, unjust and unconstitutional. [SAPA news agency, Johannesburg, 2 August 1999].

Philippines: Five executions are scheduled to take place in the Philippines over the week beginning 16 August 1999. Josefina Esparas [who would be the first woman to be executed in the Philippines since the death penalty was restored in 1994], Jurry Andal, Ricardo Andal and Edwin Mendoza are scheduled for execution on Monday 16 August; Romeo Gallo, sentenced to death for the rape of his 13-year-old daughter at their home in 1994, is scheduled to be executed on 18 August.

-----FRANCE CONVICTED OF TORTURE

The European Court of Human Rights on 28 July 1999 found France guilty of torturing a jailed drug dealer, Ahmed Selmouni, making it the first European Union state to be convicted of torture. The court found that "the physical acts of violence visited on (Selmouni) caused acute pain and suffering" and "must be seen as acts of torture under the European Convention on Human Rights". Selmouni claimed he had been kicked, beaten with a baseball bat and sexually violated with a police truncheon while in custody in Paris in November 1991. Sentences handed down on five police officers in a French court in 1999 were later reduced by an appeals court. See <http://www.lemonde.fr/article/0,2320,17095,00.html> [article in French]

Extracts of the ruling [in French] can be found at <http://www.lemonde.fr/article/0,2320,17096,00.html>

A report on the case adopted by the European Commission on Human Rights on 11 December 1997 [Requête N° 25803/94, Ahmed Selmouni contre France] can be accessed [in French] at <http://194.250.50.201/fr/25803R31.F.html>

-----INVESTIGATIONS ONGOING INTO DEATH IN CUSTODY IN FLORIDA, USA

Following the beating to death by prison guards of death row prisoner Frank Valdez on 17 July 1999 in Florida State Prison, Department of Corrections Secretary Mike Moore said on 2 August 1999 he will reorganize prison bureaucracy to prevent further inmate abuse.

Formal grievances by inmates will in future be channelled through corrections department attorneys; prison guards will spend no more than 18 consecutive months on high-stress assignments such as the high-security wing on which Valdez was killed; internal inspectors will report to the corrections department's inspector general; two full-time polygraphers will give voluntary lie-detector tests to inmates; and fixed surveillance cameras will be mounted on Florida State Prison's high security wing to make video and sound recordings of every cell transfer and use-of-force incident. See

<http://www.herald.com/content/archive/news/valdez/docs/042848.htm> and <http://www.herald.com/content/archive/news/valdez/docs/050159.htm>. For background information see AI Bulletin No. 15, 23 July 1999.

-----UN PANEL SUBMITS REPORT ON IRAQ

The UN Security Council currently considers a report by a panel which in January 1999 was set up to assess the current humanitarian situation in Iraq and to make recommendations for improving it. The UN Special Envoy to Baghdad, Prakash Shah, said on 29 July 1999 that the health of ordinary Iraqis was worsening because of international sanctions. [Reuters, 29 July 1999].

Amnesty International does not take a position on the issue of sanctions as tools for influencing government behaviour, but in a news release [*Iraq: UN Security Council Considers the Humanitarian Panel's Report on Sanctions*, AI Index: MDE 14/06/99, 28 July 1999] called upon the Security Council to give urgent attention to the humanitarian situation in Iraq and to take all necessary measures to protect the rights of civilians. See <http://www.amnesty.org/news/1999/51400699.htm>

A spokesman for the International Committee of the Red Cross said on 27 July 1999 that the ICRC will augment its programs in Iraq, hoping to repair 12 of Iraq's 18 main hospitals and 18 other health centers and train medical personnel in the country [AFR 27 July 1999]. Go to <http://www.icrc.org/eng/whatsnew> and scroll down to "29/07/99: Iraq: Decaying infrastructure raises concern.....".

-----TA SUSPENDS DOCTORS ACCUSED OF INVOLVEMENT IN TORTURE

The Turkish Medical Association (TA) has suspended from duty for 3 to 6 months 10 physicians who issued medical reports certifying the "healthy state" of 16 youths who had been detained at the end of 1995 in Manisa and had been tortured in detention. [Cumhuriyet-HRFT, 6 August 1999]. For background information see AI Bulletin No. 3, 5 February 1999.

-----CONDITIONS OF DETENTION IN AZERBAIJAN

According to a report by the Azerbaijani newspaper "Mukhalifat" on 28 July 1999, Azerbaijani officials inspected the bacteriological laboratory, the X-ray room and the surgery at a colony where tubercular prisoners are held, in an effort to better protect prisoners' human rights. The US-based organization Human Rights Watch claims in a new report that Azerbaijani security forces regularly torture those in custody with impunity, and that despite President Heydar Aliyev's promises to enact wide-ranging legal reform, no progress has been made. The report [*Azerbaijan: Impunity for Torture*] is available online at <http://www.hrw.org/hrw/reports/1999/azerbaijan/natasha.html>

-----PLANS TO PROSECUTE HIV CARRIERS IN MALAWI

According to press reports, a spokeswoman for Malawi's state-funded Commission on Criminal Justice Systems said on 5 August 1999 that it would revise the country's penal code to allow for the possible prosecution of HIV carriers who "recklessly spread the disease". Rose Kanyuka was quoted as saying that the Law Commission would hold a series of workshops "to see how best the issue of criminalizing the spread of AIDS can be tackled," [IRIN News Briefs, 5 August 1999]. See http://www.africanews.org/south/malawi/stories/19990805_feat3.html

-----FEMALE GENITAL MUTILATION

Ethiopia: FGM in Ethiopia has declined from 90% of girls in 1990 to 73% in 1997, according to the country's National Committee on Traditional Practices. However, the committee's director, Abebech Alemeneh, said nearly 69% of Ethiopians still support the practice. Ethiopia has not yet outlawed FGM. [Africa News Online, see http://www.africanews.org/women/stories/19990721_feat2.html]

Tanzania: According to a recent study by Tanzania's Legal and Human Rights Centre, more than 1.5 million Tanzanian women are circumcised, and the practice is on the increase. In many Tanzanian tribes, female circumcision is carried out in the belief that it ensures a women's loyalty to her husband. [Reuters, 5 August 1999]

-----50th ANNIVERSARY OF GENEVA CONVENTIONS

The 50th anniversary of the adoption of the four Geneva Conventions falls on 12 August 1999. The International Committee of the Red Cross is currently campaigning around the 50th anniversary. See: <http://www.icrc.org/eng/gc50>

-----DOCTOR BLACKLISTED FROM RETURNING TO EAST TIMOR

A US physician and outspoken critic of violence against East Timorese villagers, Dr Dan Murphy, was on 4 August 1999 blocked from flying into East Timor from the Australian city of Darwin. Dr Murphy said he had obtained a valid visa at the Indonesian consulate in Darwin to work in Dili under the sponsorship of the Catholic relief organisation Caritas. The Indonesian authorities claimed he had been told to leave Dili last weekend after overstaying his visa by five days and that he had worked as a doctor despite only having a tourist visa.

Many of East Timor's doctors were Indonesians who left the territory this year, and Murphy was one of the few trained doctors still working in East Timor. In a report issued on 21 June 1999, Amnesty International expressed concern that those who have given assistance to victims or have reported on human rights violations in East Timor, including humanitarian workers and medical professionals, have themselves become the victims of threats, intimidation and in some cases violence. Attempts to transport food and medical aid to internally displaced persons have resulted in threats and intimidation. On 4 July 1999 Dr Murphy was part of a humanitarian relief convoy attacked in the town of Liquica in which several people were injured. Although the attack took place close to a local police station, no action was taken to prevent it.

See <http://www.theage.com.au/daily/990806/news/news19.html> ; for the AI report *East Timor - Seize the Moment* [AI Index: ASA 21/49/99] see

<http://www.amnesty.org/ailib/aipub/1999/ASA/32104999.htm>

-----SIERRA LEONE

32 hostages, according to some reports including 4 relief aid workers from the organization Médecins Sans Frontières, were taken by ex-junta members about 40 km [25 miles] east of Freetown on 5 August 1999. Some members of the group were subsequently released. The kidnappers called for a revision of the peace treaty signed on 7 July 1999 in Lomé, and demanded the release of their leader John Paul Koroma as well as medical and food supplies. A team of negotiators from the UK has flown out to Sierra Leone to secure the release of the remaining hostages. See

<http://www.sierra-leone.org/slnews.html> and

http://news.bbc.co.uk/hi/english/world/africa/newsid_413000/413335.stm

The full text of the Lomé peace agreement between the Government of Sierra Leone and the armed opposition Revolutionary United Front (RUF) is available at http://www.sierra-leone.gov.sl/peace_agreement.htm. The agreement was criticized by Amnesty International and other human rights groups for granting a sweeping amnesty to rebel forces for all acts committed as combatants during the conflict, and thus conferring complete impunity to those responsible for gross human rights abuses]. See News Service, AI Index: AFR 51/07/99, at <http://www.amnesty.org/news/1999/15100799.htm>. On 4 August 1999, AI called on the UN Security Council to clarify its position on the blanket amnesty provided by the peace agreement [News Service, AI Index: 51/10/99, <http://www.amnesty.org/news/1999/15101099.htm>]

UN Secretary General Kofi Annan on 2 August 1999 recommended tripling the number of military observers in Sierra Leone and proposed an eventual investigation of atrocities committed during its civil war. According to reports, the humanitarian situation in parts of northern Sierra Leone remains desperate. In an article published in the US paper *Washington Post* on 1 August 1999, Kofi Annan reflects on a recent visit to a rehabilitation center for amputees in Sierra Leone's capital Freetown. For the *WP* article, see <http://search.washingtonpost.com/wp-srv/WPlate/1999-08/01/1511-080199-idx.html>

The US-based organization Human Rights Watch on 29 July 1999 issued a report documenting the failure of the United Nation's Refugee Agency, UNHCR, to ensure the security of refugee camps in Guinea and to prevent or respond to domestic violence, sexual abuse, and exploitation against children who were forced to flee Sierra Leone. The report [*Forgotten Children of War - Sierra Leonean Refugee Children in Guinea*] is available online at <http://www.hrw.org/reports/1999/guinea/>

-----SUCIDES IN UK PRISONS

A report by the Howard League for Penal Reform, released on 28 July 1999, concludes that about one third of people who commit suicide in UK prisons have a history of mental illness, such as acute psychosis. The group criticizes that most UK prisons are not designed or equipped to care for the mentally ill and that these individuals receive little care or have their problems undiagnosed. See an article in the *Lancet* [Volume 354, No. 9176] at http://www.thelancet.com/newlancet/sub/issues/vol354no9176/body.news_pp404.html; the Howard League for Penal Reform's web site is at <http://web.ukonline.co.uk/howard.league/>

-----SUDAN: UN INVESTIGATIONS ALLEGATIONS OF CHEMICAL WEAPON USE

The United Nations has sent medical teams to southern Sudan to investigate allegations that government planes have used poison gas in attacks on towns of Lainya and Kaya in Western Equatoria two weeks ago. The allegations were made by the rebel Sudan People's Liberation Army [SPLA] and backed up by doctors from the organization Norwegian People's Aid [Norsk Folkehjelp], which works in Southern Sudan and sympathises with the SPLA's political aims. The Sudanese government formally denied the charges. [AFR/Reuters, 5 August 1999]. See http://news.bbc.co.uk/hi/english/world/africa/newsid_413000/413060.stm

-----ARGENTINE DOCTORS TO WORK IN COLUMBIA

Ariel Umpierrez, president of the Argentina-based group Medicos en Catastrofes-Solidar, said on 26 July 1999 that his organization has been asked by the United Nations to send a group of doctors to Columbia to install surgery and hospital facilities to help internally displaced people in the country. (EFE/Bogota El Tiempo, 26 Jul)

-----AMNESTY INTERNATIONAL / AMNESIA INTERNATIONAL

Information about Amnesty International, including a list of documents that are available in Spanish, can be found at <http://www.edai.org/index2.html>.

-----PUBLICATIONS

Hood R, Kovalev S, Prokosch E et al. *The Death Penalty - Abolition in Europe*. Council of Europe Publishing, July 1999. 186pp; US\$ 30 / FF 120. See <http://book.coe.fr/GB/CAT/LIV/HTM/11412.htm>

Federal Republic of Yugoslavia: "Ethnic Cleansing" in the Glogovac Municipality. Human Rights Watch, July 1999. The report documents some of the abuses and war crimes that took place in the Glogovac region in central Kosovo between 19 March and 15 June 1999 when Serbian and Yugoslav forces withdrew, leaving behind thousands of traumatized ethnic Albanian civilians. It is available online at <http://www.hrw.org/reports/1999/glogovac/>

Welsh J. Sri Lanka: torture continues. *Lancet*, Volume 354, Number 9176 . Available to registered users at http://www.thelancet.com/newlancet/sub/issues/vol354no9176/body.news_hhr419.html#srilanka torturecontinues

Levy M. Tuberculosis and prisons. *Issues in Medical Ethics*, 7:3; 84/85. The author argues that contracting tuberculosis, and not getting treatment, in prison can be considered cruel and unusual punishment. "Issues in Medical Ethics" is available (up to end-1998) at: <http://www.healthlibrary.com/reading/ethics/index.htm>

VanRooyen MJ, Grabowski JG et al. Perceived effectiveness of international medical personnel working in Bosnia. *Journal of the American Medical Association*. 1999; 282:428-429. The study finds that medical supplies and pharmaceuticals were ranked as the most effective form of assistance whereas personnel assistance was noted to be less effective than material assistance. Abstract available at http://www.ama-assn.org/sci-pubs/journals/archive/jama/vol_282/no_5/letter_4.htm

Mollica RF, McInnes K. et al. Disability associated with psychiatric comorbidity and health status of Bosnian refugees living in Croatia. *Journal of the American Medical Association*. 1999; 282:433-439. The authors conducted a cross-sectional survey of Bosnian refugee adults in 1996. They conclude that in a population of Bosnian refugees who had recently fled from the

war in Bosnia and Herzegovina, psychiatric comorbidity was associated with disability independent of the effects of age, trauma, and health status. An abstract is available at http://www.ama-assn.org/sci-pubs/journals/archive/jama/vol_282/no_5/oc90966a.htm ; also see http://news.bbc.co.uk/hi/english/health/newsid_410000/410880.stm

Thorburn KM. Injury monitoring in US prison systems. *Journal of the American Medical Association*. 1999;282:430-431. The study evaluates the results of a survey about prisoner injury monitoring that was mailed to the 52 US jurisdictions operating prison systems in 1997. The author concludes that although a majority of prison systems perform prisoner injury monitoring, this was usually an administrative function rather than a health services function. An Abstract is available at http://www.ama-assn.org/sci-pubs/journals/archive/jama/vol_282/no_5/letter_6.htm

Frank MW, Bauer HM et al. Virginity examinations in Turkey. *Journal of the American Medical Association*. 1999;282:485-490. Although the Turkish Medical Association has deemed "virginity examinations" a form of gender-based violence, women in Turkey are often subjected to such examinations by forensic physicians for both legal and social reasons. The study attempts to assess forensic physicians' experiences and attitudes regarding virginity examinations in Turkey and to suggest potential solutions to the problems identified. An abstract is available at http://www.ama-assn.org/sci-pubs/journals/archive/jama/vol_282/no_5/lf90016a.htm

Abstracts for articles in Volume 4 (1) of *Health and Human Rights*, published by the Francois Xavier Bagnoud Center for Health and Human Rights at Harvard University, are available in English, French and Spanish at <http://www.hri.ca/partners/fxbcenter/journal/back/v4n1/index.htm>