

The Wire

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International forces fail Afghan detainees

Gul Mohammed was a 25-year-old farmer when he was captured by Canadian forces as he worked in fields west of Kandahar city in Afghanistan. After he was handed over to Afghan custody, Gul Mohammed was subjected to what he described as a “bloody six-month odyssey” at the hands of his interrogators. He said he was beaten with rifle butts, deprived of sleep, subjected to electric shocks and beaten with cables.

Gul Mohammed is one of hundreds of Afghans detained by the International Security Assistance Force (ISAF)—comprising military personnel from 37 countries—during the ongoing conflict in Afghanistan. Many are handed over to Afghan authorities, often to the National Directorate of Security (NDS), Afghanistan’s intelligence service, where they are at grave risk of torture and other ill-treatment. Such transfers are therefore unlawful under international law.

Afghan citizens are also subject to arbitrary detention at the hands of the NDS. Rahmatullah Hanefi, director of a hospital run by an Italian non-governmental organization in Helmand province, was detained by the NDS on 20 March 2007 in the city of Lashkar Gah. He was held incommunicado and in solitary confinement for almost two months before being acquitted of all charges and released on 19 June. Rahmatullah Hanefi had worked as a messenger in negotiations between the Taliban and the Afghan and Italian governments that led to the release of the kidnapped Italian journalist Daniele Mastrogiacomo on 19 March.

At least five of the 37 ISAF-contributing countries have signed Memorandums of Understanding with the Afghan government, which the signatories believe will protect detainees and ensure that they are treated in accordance with international human rights and humanitarian law. Several other countries intend to take similar action. The use of Memorandums of Understanding does not absolve ISAF states of their obligation under international law to refrain from forcibly transferring detainees to situations where they risk torture and other ill-treatment (the principle of non-refoulement). This obligation is absolute and allows for no exceptions.

Amnesty International’s forthcoming report (ASA 11/011/2007) documents the failure of ISAF-contributing countries to uphold these basic principles of international humanitarian and human rights law in transferring detainees to Afghan authorities. It calls on ISAF states, led by NATO, in Afghanistan to fully uphold their human rights obligations.

No individual should be exposed to torture or other ill-treatment under any circumstances and ISAF countries should stop transferring detainees until they have assisted the Afghan authorities in stamping out these practices.

[A British soldier, of the International Security Assistance Force (ISAF), searches an Afghan motorcyclist at a temporary checkpoint in Kabul, May 2007. © Musadeq Sadeq/AP/PA Photos]

Forgotten victims

Palestinians in Iraq have suffered appalling abuses since the US-led invasion in 2003, but their plight has been largely ignored

A blacksmith, Sabah ‘Abdel-Qader ‘Abdel Khaliq, went out to eat in a local restaurant and never came home. Two days later his body was found in a morgue bearing marks of torture. A trader, Hamed ‘Ali Mohammad al-Hanouti, married with five children, was abducted from his car by armed men. He was then shot and his body left lying in the street. A taxi driver, Mostafa Ahmad, was abducted by armed men at a petrol station. Two days later the abductors used his mobile phone to tell his family to collect his body from the morgue.

These victims had one thing in common. They were Palestinians. Amid all the violence in Iraq since the US-led invasion in 2003, hundreds of Palestinians have been killed, often after torture. Others have been forced to flee after receiving death threats. Many others have been detained by Iraqi security forces or the US-led Multi-National Force (MNF) and then released without charge.

Some Palestinians are hiding in Iraq because of the threats. At least 2,100 are stranded in three makeshift camps at the border with Syria in horrendous conditions, especially in al-Waleed camp, with no solution in sight. The Iraqi authorities and the MNF have done virtually nothing to protect them and their plight has received virtually no international attention.

Palestinians have been targeted by armed groups and militia-style forces linked to political and religious leaders and Iraqi security forces because they are perceived by some Iraqis to have received preferential treatment under the government of Saddam Hussain or because, as mainly Sunni Arabs, they are suspected of supporting the insurgency against the predominantly Shi’a government and the MNF. As the sectarian strife between Shi’as and Sunnis has intensified, Palestinians have become increasingly vulnerable because, unlike Iraqi Shi’a and Sunni communities, they do not have an armed militia force to protect them.

About 15,000 Palestinians are still in Iraq in desperate need of protection. Most now cannot escape as neighbouring countries have largely closed their doors. The difficulties facing Iraq’s Palestinian community are overshadowed by the huge Iraqi refugee crisis threatening the whole region – more than 4 million Iraqis are now displaced, 2.2 million inside the country and 1.4 million and 0.5 million in Syria and Jordan respectively, with thousands more in other countries in the region. The numbers of displaced are rising by around 2,000 people a day.

Amnesty International is calling on the Iraqi government and the MNF to protect the increasingly beleaguered Palestinian refugee community, and on the Syrian and Jordanian governments to afford protection to Palestinian refugees fleeing from Iraq. It is also calling on the international community to support the efforts of Syria and Jordan to shelter so many of Iraq’s people and to assist with the resettlement of Palestinians and other particularly vulnerable refugees from Iraq.

See Iraq: Human rights abuses against Palestinian refugees (MDE 14/030/2007), Millions in flight: the Iraqi refugee crisis (MDE 14/041/2007), and the Wire August 2007.

[Palestinian refugees at al-Waleed camp, near the Iraq-Syria border. Some 15,000 Palestinians remain trapped in Iraq. © AI]

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Thousands raped in Burundi

KJ, a 14-year-old girl from Kibago, was raped in her home by a soldier in 2004. Her father tracked the soldier down and negotiated an “amicable settlement”. The soldier agreed to marry KJ, avoiding any punishment for his crime.

Between 2004 and 2006, over 4,000 Burundian women told the non-governmental organization, Médecins sans Frontières, that they had been raped. Girls and women under 30, as well as widows, returned refugees and women living alone are at particular risk. Rape is committed by law enforcement officials, military officers, family members and neighbours. The Burundian government has no independent monitoring system for rape cases, meaning that there are no official statistics.

During the armed conflict between 1993 and 2003, thousands of women were subjected to sexual violence by members of armed groups, government forces, and private individuals. There were very few prosecutions and a climate of impunity was created. High levels of rape have continued since the end of the armed conflict.

Many women are too afraid to report these crimes. Women fear reprisals by the perpetrators and are stigmatized by their community. Their friends, family and community often ostracize them, leaving them alone and destitute. Social attitudes in Burundi tend to apportion blame to the victim rather than the perpetrator, who often escapes prosecution. Many women, especially in remote rural areas, are uninformed about the process of reporting a rape, instigating legal proceedings or following the progression of the case.

When women do report rape to the authorities they often find themselves facing the blame for the crime.

Survivors of rape are sometimes forced to enter into “amicable settlement” agreements, an age-old and customary practice, with the perpetrator. Compensation in the form of goods or cash, sometimes covering the victim’s school fees or clothes, is given to her family. The woman or her family may agree that she marries the perpetrator as a means of providing her with social and economic support. The woman is often marginalized throughout the process. There have been cases of girls under the age of 16 being forced to marry their rapist.

Amnesty International is calling on the government of Burundi to publicly condemn rape, establish a system to record all reports of rape, investigate all cases of rape and bring those responsible to justice.

For more information, see Amnesty International's report: Burundi: No protection from rape in war and peace, published in October 2007 (AFR 16/002/2007).

[Survivors of rape at the Médecins Sans Frontières centre in Bujumbura, Burundi. Thousands of women were assaulted during the armed conflict between 1993 and 2003. Many women are too afraid to report these crimes for fear of reprisals. © Carl De Keyzer/Magnum Photos]

Lethal injections cause suffering and misuse medicine

“It don't work ... it don't work ...”

Joseph Clark, as he was being executed by lethal injection in Ohio, USA, May 2006

As the US Supreme Court agreed to hear a challenge that lethal injections violate the

Constitution, Amnesty International is urging doctors and nurses to refuse to take part in such executions because medical participation breaches their ethical oath.

Amnesty International opposes the death penalty and all methods of execution. It believes that lethal injections raise particular problems, including the misuse of medical skills and the fact that it can cause physical pain and mental suffering. More than 900 prisoners have been executed in the USA since the method was first used in 1982. It has been adopted by 37 out of 38 executing states and is now virtually the only method of execution in the country. It is increasingly being used in China and has been adopted by other governments, including Guatemala and Thailand.

In May 2006, Joseph Clark suffered a particularly protracted ordeal before being put to death by the state of Ohio. After the technicians had struggled for 22 minutes to insert the catheter, Joseph Clark's vein collapsed and his arm began to swell. He raised his head from the gurney and said five times, "It don't work." The curtains surrounding the gurney on which he was strapped were closed while the technicians worked for a further 30 minutes to find another vein. An autopsy later found 19 puncture marks resulting from attempts to insert the intravenous line.

This botched execution highlights the dilemma health professionals face. The method requires the medical skills of practitioners who have pledged themselves to work for the best interests of the patient and who would breach their ethical code by participating. Amnesty International urges professional bodies to protect health personnel who refuse to participate in executions, adopt a position proscribing health professional participation in executions, and promote worldwide adherence to this standard.

See Execution by lethal injection: A quarter century of state poisoning (ACT 50/007/2007), and www.amnesty.org/deathpenalty

[Health professionals assist at the first execution by lethal injection in Guatemala, February 1998. © Jorge UZON]

Adult orphans in Albania have no place to call 'home'

It is June 2007, and two 18-year-old boys wait outside the city hall in Vlora, a town in southern Albania. The boys have completed their secondary education and are waiting to appeal to the Mayor for somewhere to live. In 10 days' time they must leave the student hall which has been their residence for the last four years. But they have nowhere to go. These boys were raised in orphanages and there is no family or home to receive them.

Orphanhood is usually associated with childhood, but in Albania the stigma and deprivation of not having a family can last a lifetime. In Albania, a network of parents and relatives is often the route to employment and marriage. Orphans must largely fend for themselves in a society which sometimes regards them with suspicion. As one orphan explained: "We are looked down on, as people without education and without parents, who could get up to anything."

Research by Amnesty International into the plight of adult orphans in Albania shows that once they reach adulthood, orphans may end up living in dilapidated sections of secondary-school residence halls, in terrible conditions, often for years, with nowhere else to go. They can also be evicted at any time, with little or no notice. As one woman, an adult orphan aged 21, said: "I've been living with three other girls in one of the rooms for the last five years. They want us to leave now, but where are we to go?"

Adult orphans who have grown up in institutional care in Albania are also vulnerable to isolation, unemployment and poverty. They may find themselves exposed to abuse and exploitation, or drawn into crime. Young women are especially liable to be targeted by traffickers who lure them with offers of marriage or legal employment only to force them into prostitution.

Secure and adequate housing is an internationally recognized human right. While Albanian law recognizes the particular vulnerability of orphans, and provides for the right to priority with housing, in reality few adult orphans have benefited. Albania is one of the poorest countries in Europe, with a severe shortage of housing in the main urban centres, and this is sometimes cited to justify the lack of adequate housing for orphans.

Amnesty International's report, Albania: No place to call home –adult orphans and the right to housing (EUR 11/005/2007) calls on the Albanian government to give priority for social housing to this group. As one adult orphan said: "A home is life, stability."

[With few alternatives, many adult orphans in Albania are forced to live in run down student residence halls, such as this one, in Tirana. © AI]

Updates

Serbia: human rights defender saved from imprisonment

Human rights defender Maja Stojanović, convicted by a Serbian court for displaying posters in an unauthorized place, will not face imprisonment.

The posters had called on the Serbian authorities to arrest and transfer the alleged war criminal Ratko Mladić to the International Criminal Tribunal for the former Yugoslavia. There were no known prosecutions of other institutions and private companies which had put posters in the same place.

Maja Stojanović was convicted in November 2005 and ordered to pay a fine of 5,500 Serbian dinars (US\$100), the maximum allowed by law. Because of her failure to pay the fine she faced a 10-day prison sentence.

After appeals by Amnesty International and Serbian NGOs calling on the authorities to stop her imprisonment, the President of Serbia, Boris Tadić, expressed his support for her. Following his statement, the Serbian NGOs paid the fine on her behalf, resulting in her release.

[© Private]

Peru: former President Fujimori to stand trial

In November, former President Alberto Fujimori will stand trial in Peru on charges of human rights violations.

The decision by the Chilean Supreme Court to extradite the former president is a crucial step in the search for justice for the thousands of victims of torture, killings, enforced disappearances and other human rights violations committed throughout the Fujimori government era.

His extradition came after two years of speculation twists and turns in the case of the man who ruled Peru from 1990 to 2000 and now faces up to 30 years in jail.

Alberto Fujimori is being held at a police base in the capital, Lima, and faces two human rights charges for torture and killing in three cases: the killing of 15 people in 1991, the killing of a lecturer and nine students in 1992, and the torture of people critical of his government. Alberto Fujimori also faces corruption charges.

The Peruvian authorities must take this decision forward and ensure that all victims of human rights violations committed under Alberto Fujimori's government receive justice and reparations.

World wide appeals

Georgia

Ill-treated by police

Vakhtang Guchua and Zaali Akobia allege that they were ill-treated by at least a dozen special police officers in Zugdidi, western Georgia, in April 2005. Both men were released on 16 July 2005 and all charges against them were dropped. The authorities have failed to complete investigations into the allegations of ill-treatment and ensure reparation for the victims.

On 27 April a forensic medical expert examined the two young men and found bruises and scratches on their bodies. According to his assessment, the injuries were caused by a blunt object.

When Amnesty International delegates visited Zaali Akobia in prison in Zugdidi in May 2005 he said: "All of them were masked. They started beating me... Then they placed the barrel of a gun into my mouth threatening to kill me unless I signed a 'confession'."

Vakhtang Guchua told Amnesty International: "They beat and kicked me and hit me with the butts of their guns. I was lying on the floor most of the time. They wanted to put a plastic bag over my head but when I begged them not to do so, because I have serious problems with my lungs, they didn't do it."

Both men said that officers wanted them to confess to involvement in the June 2002 killing of Jamal Narmania, a former government official in the region.

In November 2005 a former officer of the Special Operative Department of the Abkhazian Division of the Ministry of Internal Affairs was detained and charged with "exceeding official authority" in connection with the case. Vakhtang Guchua's lawyer told Amnesty International in October 2006 that the officer had been released on bail. In September 2007, the representative of the Ombudsman's Office in Zugdidi reported that the officer had been sentenced to 11 years' imprisonment and that his appeal was pending. No other officers implicated in the ill-treatment are known to have been identified or charged. According to an official at the Ombudsman's Office, "no real action has been taken to identify... the men in masks".

Please write, expressing concern at the allegations that Vakhtang Guchua and Zaali Akobia were ill-treated by officers of the special police unit and calling for the all alleged perpetrators to be brought to justice.

Send to: President Mikheil Saakashvili, Office of the President of Georgia,
7 Ingorokva, 0105 Tbilisi, GEORGIA

Fax +995 32 99 96 30

Email: office@presidpress.gov.ge

Salutation: Dear President

[Both images: © AI]

Honduras

Human rights defenders at risk

Carlos Hernández and Dina Meza, the President and Project Director respectively of the Association for a More Just Society (Asociación para una Sociedad Más Justa, ASJ) are at risk because of their human rights work in Honduras.

The ASJ is a Christian organization whose work focuses on improving access to justice for all sectors of society.

On 4 December 2006, Dionisio Díaz García, a lawyer working for the ASJ, was shot dead as he was driving to the Honduran Supreme Court to prepare for a hearing of a case that had been taken up by the ASJ. At the time of his death he was representing a number of security guards who claimed that they had been unfairly dismissed by a private security company.

On 7 December 2006, three days after the killing, Carlos Hernández received a text message in English which read: “You are the next because you are the head”. Threats and intimidation of ASJ members intensified after the death of Dionisio Díaz.

On 20 December 2006, just over two weeks after Dionisio Díaz was killed, the Inter-American Commission on Human Rights asked the Honduran government to implement precautionary protection measures on behalf of members of ASJ. To Amnesty International’s knowledge, the implementation of these measures has been inadequate and has not been properly evaluated.

The threats against ASJ members have continued in 2007 despite the protection measures in place.

Those responsible for the killing of Dionisio Díaz have still not been brought to justice and investigations into the harassment of ASJ members have yet to produce results.

Please write, expressing grave concern at the intimidation and threats reportedly received by Carlos Hernández and Dina Meza. Urge the authorities to order a thorough investigation into these incidents and into the killing of Dionisio Díaz García; and to bring those responsible to justice.

Send appeals to: Public Security Minister, Sr. Álvaro Antonio Romero Salgado, Ministro de Seguridad, Plantel Casamata, subida al Picacho, Tegucigalpa, Honduras

Salutation: Dear Minister

[© ASJ]

Saudi Arabia

Human rights activists detained

At least 10 men were arrested in the cities of Jeddah and Madinah in Saudi Arabia on 3 February 2007 and held incommunicado for nearly six months before they were allowed family visits. One was released without charge or trial in September. The remaining nine continue to be held. None has been charged and all are at risk of torture or other ill-treatment. Amnesty International believes that they may have been detained solely for their peaceful activities in defence of human rights.

Among the remaining detainees are Sulieman al-Rushudi, Dr Saud al-Hashimi, Al-Sharif Saif Al-Ghalib, Musa al-Qirni, Dr Abdel Rahman al-Shumayri and ‘Abdelaziz al-Khariji.

The men are reportedly held in the offices of the General Intelligence Service (al-Mabahith al-‘Amma) in Jeddah.

The Ministry of the Interior is reported to have issued a statement claiming the detainees are suspected of collecting money to “help terrorism”. However, according to other sources they were targeted because they were active as human rights defenders and advocates of peaceful political change.

For more information, see Urgent Action Incommunicado detention/ fear of torture (MDE 23/007/2007).

Please write, expressing concern that the detainees are being held incommunicado for a prolonged period and may have been arrested for their peaceful human rights activities. Call for the nine remaining detainees to be released immediately and unconditionally if they are held solely for the peaceful exercise of their right to express their conscientiously held beliefs. Send appeals to:

King Abdullah Bin ‘Abdul ‘Aziz Al-Saud,
The Custodian of the two Holy Mosques,
Office of His Majesty The King, Royal Court,
Riyadh, Saudi Arabia

Telegramme:

H.M. King Abdullah, Riyadh, Saudi Arabia

Salutation: Your Majesty

[Dr Abdel Rahman al-Shumayri, one of nine men held without charge or trial since February.
© Private]

Azerbaijan Editor shot dead

In March 2005, Elmar Hüseynov, editor-in-chief of the outspoken opposition weekly newspaper Monitor, was shot and killed by unidentified individuals outside his apartment building in Baku. The newspaper closed following his death. No one has been brought to justice for his killing.

Elmar Hüseynov’s colleagues and international organizations promoting press freedom believe that the killing was politically motivated and linked to the political content of the newspaper.

In April 2005, investigators announced that six people had been detained in connection with the murder, but no motive or evidence linking the six to Elmar Hüseynov’s killing was offered. The crime was then also reclassified from a “premeditated murder” to an “act of terrorism” without explanation or rationale.

In July 2006, Hacı Mammadov, a former Ministry of Internal Affairs official charged in connection with a series of high-profile murders and kidnappings, admitted to the murder. Hacı Mammadov claimed that he carried out the killing at the behest of former Minister of Economic Affairs Farhad Aliyev, who was arrested in October 2005 on charges of plotting a coup. However, friends of Elmar Hüseynov have suggested that Farhad Aliyev had no motive for ordering the killing.

According to representatives of the Elmar Hüseynov Foundation, the investigation into Elmar Hüseynov's murder has been suspended.

Please write, calling for a thorough and independent investigation into the killing of Elmar Hüseynov and for those responsible to be brought to justice.

Send appeals to:

Ilham Aliyev, Office of the President of the Azerbaijan Republic, 19 Istiqlaliyyat Street, Baku AZ1066, Azerbaijan.

Fax: + 994 12 492 0625

Email:

president@gov.az, office@apparat.gov.az

Salutation: Dear President

[© Newspaper Monitor]

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Repression continues in Myanmar

Peaceful demonstrations led by monks and sparked by increased fuel prices have met with violent crackdown and mass arrests, bringing world attention to the human rights catastrophe in Myanmar. The State media claims that over 2,000 people were arrested with the majority now released. However, the true figure is likely to be much higher and as the Wire went to press, people in Myanmar were still being arrested daily.

The use of violence against peaceful protesters is absolutely unacceptable. AI is also deeply concerned for the safety of all those detained across the country. It continues to seek information from the Myanmar authorities about who has been detained, why, where they are held, and in what conditions.

Demonstrations of support and solidarity took place around the world following the crackdown. The UN Security Council, in its first ever statement on Myanmar, has strongly deplored the violent crackdown and stressed the importance of early release of political prisoners. AI has also urged the UN Security Council to immediately impose a comprehensive and mandatory arms embargo on Myanmar and called on the principal suppliers of arms to the country—China, India, Russia, Serbia, Ukraine and ASEAN nations—to prohibit the supply of military and security equipment to Myanmar.

[Clockwise, from left: (1) Amnesty International supporters in Thailand demonstrate alongside other organizations near the Burmese (Myanmar) Embassy in Bangkok, 28 September 2007, © Amnesty International; (2) Protestors hold placards at the Global Demonstration for Myanmar in London, UK, 6 October, © Amnesty International; (3) Buddhist monks march in protest against the military government, Yangon, Myanmar, 24 September, © AP/GraphicsBank; (4) Burmese monks chant in Trafalgar Square, London, UK, 6 October, © Amnesty International; (5) Amnesty International Nepal action for Burma, 1 October, © Amnesty International; (6) Police on street during protests, Yangon, Myanmar, 27 September, © AP/GraphicsBank.]