

[Page 1]

### **Stop executing children**

‘The death penalty is a particularly cruel and unusual punishment that should be abolished. It is especially unconscionable when imposed on children.’

Final statement of the Fourth World Summit of Nobel Peace Laureates, Rome, 30 November 2003

Glen McGinnis was executed in the USA in January 2000 for a crime committed when he was just 17 years old – still a child. He had suffered severe abuse during his childhood, including being raped and beaten by his stepfather. He ran away from home when he was 11, and lived on the streets of Houston. An African American, he was sentenced to death by an all-white Texas jury for shooting a white woman during a robbery in 1990.

International law prohibits the use of the death penalty for crimes committed by people younger than 18, yet some countries continue to execute child offenders. Executions of child offenders flout international law.

The characteristics associated with childhood include the following: immaturity, impulsiveness, lack of self-control, poor judgment, an under-developed sense of responsibility, a susceptibility to peer pressure, and a vulnerability to the domination or example of elders. Common agreement about such attributes, and a young person’s potential to change, lie behind the global ban on the use of the death penalty for the crimes of children.

Since the beginning of 1994, at least five countries have changed their laws to eliminate the execution of child offenders. Although the vast majority of countries that still practise the death penalty no longer execute child offenders, five countries – China, Democratic Republic of Congo (DRC), Iran, Pakistan and the USA – are known to have carried out child executions since 2000. Child offenders are currently under sentence of death in at least two other countries – the Philippines and Sudan.

Some of the children executed in recent years have been really young. For example, Kasongo, a 14-year-old child soldier, was executed in the DRC in January 2000 within half an hour of his trial by a special military court. These courts have now been abolished.

AI has recorded seven executions of child offenders in Iran since 1990. The official news agency IRNA reported from the town of Ilam that Mehrdad Yousefi, aged 18, had been hanged in May 2001 for a crime committed two years earlier. A bill drafted by the judiciary to raise the minimum age to 18 was approved by parliament in December 2003. The bill requires approval by a higher legislative body, the Council of Guardians, in order to become law.

Courts sometimes fail to determine the age of convicted prisoners. An unknown number of such prisoners are under sentence of death in Pakistan, where, in some areas, the law does not exclude children from being executed. (See *Worldwide Appeal* page3.) In China, although the law has been amended to exclude executing child offenders, it is known that an 18-year-old was executed in January 2003 for a crime he committed when he was 16. There are concerns that attempts to ascertain the age of young offenders are prone to error.

Over 70 child offenders are currently under sentence of death in the USA. The federal government and 16 of the 38 US states whose laws retain the death penalty exclude its use

against child offenders. However, three states – Oklahoma, Texas and Virginia – have executed child offenders since 2000. Children are among the foreign nationals held at the US Naval Base in Guantánamo Bay in Cuba: their future is uncertain but use of the death penalty after trials by military commission has not been excluded.

Philippine law precludes the use of the death penalty against people under 18 at the time of the crime, yet at least seven child offenders are currently under sentence of death.

Child offenders have been sentenced to death by a special court in the western province of Dafur, Sudan, since 2002. The special court's procedures fall far short of international standards for a fair trial. (See *Worldwide Appeal*, page 3.)

AI believes that the death penalty violates the right to life and is the ultimate cruel, inhuman and degrading punishment. AI has launched an international campaign, *Stop child executions!*, calling for:

- An immediate end to all executions of child offenders
- All existing death sentences against child offenders to be commuted
- All countries that retain the death penalty to ensure that its use against child offenders is precluded by law.

For further information see: *Stop child executions!* (ACT 50/001/2004).

## **North Koreans denied their right to food**

*“Public executions were highest between 1996 and 1998 when the famine was at its peak. People were stealing the infrastructure of society such as electric lines, copper wires and selling it.”*

*“I saw a 15 or 16 year old boy die; the boy was there as he had sold glass from his school. After 15 days’ detention, the boy died... because of malnutrition. There was so little food.”*

From the testimonies of North Koreans interviewed by AI

North Korea is one of the world's most closed and isolated nations. For more than a decade, the people of North Korea have suffered from famine and food crisis. Hundreds of thousands of people have died as a result of acute food shortages caused by a series of natural disasters, the loss of support from the former Soviet Union and economic mismanagement. Several million children suffer from chronic malnutrition, impairing their physical and mental development.

Government policies are at least partly to blame. The government appears to have distributed food unevenly, favouring those who are economically active and politically loyal, while government restrictions on freedom of movement prevent North Koreans searching for food or moving to an area where food supplies are better, as they face punishment including detention if they leave their towns or villages without permission. They also hamper the movement, access and monitoring of international humanitarian agencies which have been involved in distributing food aid. This has contributed to donor fatigue and a fall in food aid commitments. The right to food is a basic human right, and the government of North Korea appears to be failing in its duties to respect, protect and fulfil this right.

Widespread malnutrition has led to the movement of tens of thousands of people into China. Thousands have been forcibly repatriated by the Chinese authorities, and have then been detained by North Korean authorities in appalling conditions. Detainees are reported to have died of hunger. Many have reportedly been tortured during interrogations by the North Korean authorities.

North Koreans have been publicly executed because they have stolen food or goods to survive – schoolchildren have reportedly been taken to see the executions. Children, women and the elderly are reported to be among the principle victims of the famine. Many women forced to go to China in search of food have been preyed on by trafficking gangs which operate on both sides of the China-North Korea border.

In a new report, *Starved of rights: Human rights and the food crisis in the Democratic People's Republic of Korea* (North Korea), (ASA 24/003/2004), AI argues that the North Korean government should ensure that food shortages are not used as a tool to persecute political opponents and that humanitarian organizations, in particular UN agencies, have free and unimpeded access to all parts of North Korea.

Foreign states able to help must also provide the necessary food aid, without tying this to particular political goals. Food should never be used as an instrument of political and economic pressure. There must be no embargoes on food.

[Page 2]

## **Liberian civilians still vulnerable as peace remains fragile**

The peace agreement of 18 August 2003 and subsequent deployment of UN peace-keeping troops should have ushered in a new era for the Liberian people who have suffered appalling human rights abuses for so many years. However, they have continued to be killed, raped, beaten, used as forced labour and driven from their homes.

An international donor conference takes place at the UN in New York in early February to address Liberia's vast needs as it emerges from 14 years of almost continuous conflict. Major human rights challenges – some of them immediate, others more long-term – must be met. Post-conflict reconstruction has to be based on good governance and the rule of law.

An AI delegation visiting Liberia in November 2003 found that peace remained elusive for much of the population despite the peace agreement, which established a power-sharing transitional government. A woman interviewed in Monrovia said: "The goal is peace, to sleep without hearing gunshots, to send our children to school; that is what we want."

The number of internally displaced people – already estimated at some 500,000 – continued to grow. Civilians fled increasingly undisciplined and desperate groups of armed fighters from all three signatories to the peace agreement – the former government of Liberia, the Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL). Each of these groups is now represented by senior ministers in the transitional government.

The delegation met many internally displaced people in camps around Monrovia, in Kakata in Margibi County, Totota in Bong County and Saglepie in Nimba County. Those in Kakata and Totota described how their villages were attacked and looted by LURD forces. As they fled, their few remaining possessions were taken by former government forces based around Sanoyie who had threatened one of those interviewed by AI delegates: "Bring everything or we will kill you... dead bodies can't talk." Those in Saglepie had fled advancing MODEL forces as they killed, looted and destroyed villages.

The international community – which brokered the peace agreement – must insist that its signatories fulfil the explicit commitments they made to respect international human rights and humanitarian law.

Troops of the UN Mission in Liberia (UNMIL) are a deterrent to attacks on civilians; in areas where they have not yet deployed, however, civilians remain without protection. UNMIL's capacity to implement its mandate to protect civilians has been seriously hampered by delayed arrival of troops; slightly more than half of its projected strength of 15,000 was on the ground by January 2004 but deployment beyond Monrovia was rudimentary. Swift deployment of additional forces, with adequate logistical support, throughout the country is urgently needed.

Continuing human rights abuses must be monitored and reported publicly by UNMIL to demonstrate to combatants that their actions are being closely watched and to strengthen the message that perpetrators will be brought to justice. Despite frequent statements from the UN that those responsible for crimes against humanity, war crimes and other serious violations of inter-national humanitarian law in Liberia will be held accountable, concrete action to end impunity has yet to be taken. Liberia's still shaky peace will be further undermined if impunity is allowed to persist.

For further information see: *Liberia: "The goal is peace, to sleep without hearing gunshots, to send our children to school; that is what we want."* (AFR 34/024/2003).

## **German police ill-treat detainees**

As Josef Hoss left for work on 8 December 2000 his van was blocked by two unmarked police vehicles close to his home near Bonn, North Rhine-Westphalia, Germany. Masked police officers sprang from the two vehicles, smashed the window of Josef Hoss' van with a hammer and pulled him out of the vehicle. The police officers allegedly hit him with batons and fists, kicking him repeatedly after he was thrown to the ground and handcuffed. As a result of the incident he suffered two fractured ribs and multiple bruising and has been unable to work since.

Josef Hoss was taken to a police station where he was eventually told that he had been arrested on suspicion of possessing firearms. He was released later that day after police officers searching his home found no illegal weapons. All charges against him were subsequently dropped.

Josef Hoss lodged a complaint against the police officers but despite the case being the subject of an inquiry by the UN Special Rapporteur on torture, to date, none of the police officers accused of ill-treating him have faced criminal charges.

Josef Hoss is not the only person ill-treated by German police. Walter Herrmann was arrested on 18 September 2001 in Cologne's city centre. He was objecting to street clowns on stilts, who, he believed, were selling balloons at over-inflated prices.

Walter Herrmann alleges that he was ill-treated at Cologne Police Headquarters, where a police officer pinned him to the floor by placing his knee and his full body weight on the back of his head. His nose and face were reportedly pressed against the cell floor, despite his screams, until his nose was broken and he was bleeding heavily. Simultaneously, two other police officers allegedly twisted Walter Herrmann's arms behind his back and attached his legs with foot restraints to metal bolts built into the cell floor.

Walter Herrmann was taken to hospital by the police, where he remained for seven days. Three years later, the prosecuting authorities in Cologne have eventually filed charges against the three police officers alleged to have ill-treated Walter Herrmann. The trial of the police officers was scheduled to begin on 19 January 2004.

AI continues to receive allegations which form a pattern of police ill-treatment and excessive use of force in Germany. It is notable that a significant proportion of allegations come from foreign nationals or members of ethnic minorities.

Some victims of alleged police ill-treatment have suffered serious injury, sometimes necessitating periods of hospitalization. One victim, Stephan Neisius, died in hospital in May 2002 as a result of being repeatedly kicked and beaten by police officers while in police custody. (See *Worldwide Appeal*, July 2002.)

Criminal investigations into allegations of police ill-treatment can be unreasonably protracted and last many months or even years. Certain public prosecutors have also proved reluctant to file charges against the police and to allow the courts to assess the truth of allegations, despite compelling evidence. Often police counter-charges dissuade victims of ill-treatment from seeking redress. AI is concerned that these practices may result in impunity for police officers who have committed human rights violations.

See, *Back in the spotlight: Allegations of police ill-treatment and excessive use of force in Germany* (EUR 23/001/2004).

## **Singapore's hidden executions**

Poon Yuen-chung, a shop assistant from Hong Kong, was executed in April 1995. She was 18 years old when she and her 17-year-old friend, Lam Hoi-ka, were arrested at Changi Airport, Singapore. The girls had gone on holiday to Bangkok, telling their parents they were going on a local camping trip. Airport officials found heroin hidden in a secret compartment in their luggage. Both girls denied prior knowledge of the drugs and said they had been befriended by a Chinese couple in Bangkok who had taken them out to dinner and later bought suitcases for them. Lam Hoi-ka was sentenced to life imprisonment as she was under 18 at the time of the offence.

Thiru Selvam was hanged in September 2001 after a friend of his was found in possession of approximately 800 grams of cannabis. The friend reportedly told the police that the drugs belonged to Thiru Selvam. At his trial the judge is said to have told him that if he confessed he would be given a prison sentence. However, Thiru Selvam reportedly maintained his claim of innocence and was sentenced to death. His friend was given a 25-year prison term.

More than 400 prisoners have been hanged in Singapore since 1991, giving the small city-state possibly the highest execution rate in the world relative to its population of just over four million people. Most of those executed were convicted of drug trafficking while others were executed for murder or firearms offences. These offences carry a mandatory death penalty, which means that trial judges have no option but to impose a death sentence on those who are convicted. In addition, the Misuse of Drugs Act contains a series of presumptions which shift the burden of proof from the prosecution to the accused, increasing the risk of executing an innocent person.

Official information about the use of the death penalty in Singapore is shrouded in secrecy. Some executions, but by no means all, are reported in the press. Controls imposed by the government on the press and civil society organizations curb freedom of expression and so hinder the independent monitoring of human rights, and of the

death penalty.

The death penalty often falls disproportionately and arbitrarily on the most marginalized or vulnerable members of society. They include young people who are just entering adulthood, drug addicts, the poorly educated, the impoverished or unemployed, and migrant workers. Crime is often linked to other social problems such as poverty, drug abuse, unemployment and the disintegration of the family, problems which are not solved by executions.

By imposing death sentences and carrying out high numbers of executions, Singapore is running counter to the worldwide trend towards abolition of the death penalty. For further information, see *Singapore: The death penalty: a hidden toll of executions* (ASA 36/001/2004).

[Page 3]

## **Worldwide Appeals**

### **USA**

#### **More internationally illegal executions set**

Three death row prisoners are scheduled to be executed in the USA in the coming months for murders committed when they were 17 years old.

International law, recognized and respected by almost every country in the world, unequivocally prohibits the use of the death penalty against people who were under 18 at the time of the offence. Four US Supreme Court Justices, one short of a majority, have described such executions as “shameful” and a “relic of the past”.

Edward Capetillo, Raul Villarreal and Efrain Perez are due to be killed in the Texas lethal injection chamber on 30 March, 23 June and 24 June respectively. Raul Villarreal and Efrain Perez, convicted of the same double murder, have been on death row since 1994. Edward Capetillo has been under a death sentence since 1996.

Since 1998, AI has recorded 19 executions of child offenders worldwide. Thirteen were carried out in the USA, eight of them in Texas. Seven of these Texas executions were of African Americans, six of whom had been convicted of the murder of white people. Edward Capetillo, Raul Villarreal and Efrain Perez are Hispanic and were also convicted of crimes involving white victims. Studies have consistently shown that the race of the victim is a factor in the US death penalty.

Please write, calling on the Governor of Texas to do all in his power and influence to stop these executions in the interest of international law and the reputation of Texas and the USA as a whole.

Send appeals to: The Honorable Rick Perry, Governor of Texas, State Capitol, PO Box 12428, Austin, TX 78711, USA. Fax: +1 512 463 1849 / 0039 / 1932

### **Pakistan**

#### **Child offender to be executed**

Mohammad Amin was sentenced to death by an Anti-Terrorism Court in Rawalpindi in January 2000 after being found guilty of involvement in a robbery and killing in 1998, when he was 17 years old.

The Court recorded Mohammad Amin's age at the time of trial as 17 or 18. The judge hearing the appeal against the sentence is said to have confused a medical report on Mohammad Ameen with one on the victim of the crime, and understood that Mohammad Ameen was aged 30. The Chief Justice re-examined the case following articles in the press which raised concerns that Mohammad Ameen was a juvenile at the time of the offence and that the courts had allegedly made mistakes in the case. His school certificate was presented as evidence of his age. However, the Chief Justice found that there were no grounds to overturn the judgment because the issue of age was not raised until the appeal stage of the proceedings.

Mohammad Amin's only chance of clemency is a mercy petition lodged with President Pervez Musharraf in August 2003. If the President rejects this appeal Mohammad Amin could be executed at any time.

The use of the death penalty against child offenders, people who were under 18 at the time of the crime, is prohibited under international law. In July 2000, Pakistan banned the use of the death penalty for child offenders. However, in two tribal areas of Pakistan this law is not yet in force and children could still be legally executed. In other areas an unknown number of children are sentenced to death because some judges and magistrates in the lower courts do not know that it is now illegal to sentence a child to death.

In December 2001 President Pervez Musharraf promised to commute all existing death sentences against child offenders. However, an unknown number of child offenders, including Mohammad Amin, remain under sentence of death because the age of the child offender is being contested.

Please write, calling for a stay of execution for Mohammad Amin. Call for the death penalty for juveniles to be prohibited in all areas of Pakistan.

Send appeals to: President and Chief Executive of Pakistan, General Pervez Musharraf, Pakistan Secretariat, Islamabad, Pakistan. Fax: +92 51 922 4768

## **Lebanon**

### **Executions resume**

Fadi Ahmad Mer'eish, one of four men convicted of murder, has had final execution orders signed and could be executed at any time. The other three – Ahmad 'Ali Mansour, Badea' Waleed Hamada (also known as Abu Obayda) and Remi Antoan Za'atar – were executed on 17 January. They are the first people to be executed in Lebanon since 1998.

AI is dismayed at the end of the de facto five-year moratorium, in which no executions have taken place in Lebanon, since President Emile Lahoud took office. This is a step backwards for Lebanon which goes against the worldwide trend towards abolition of the death penalty.

At least 27 people in Lebanon were under sentence of death in December 2003, according to reports in the Lebanese media.

After sentencing, executions can be carried out following agreement between the clemency committee and the President. According to reports, Fadi Ahmad Mer'eish has had his death sentence agreed by the clemency committee. Two others have had their sentences reduced to life imprisonment.

AI is concerned that the 24 men currently under sentence of death are now in grave danger of execution.

Please write, expressing concern that executions have resumed in Lebanon. Call for the authorities not to execute Fadi Ahmad Mer'eish and for all death sentences in Lebanon to be commuted.

Send appeals to: His Excellency President Emile Lahoud, Office of the President, Ba'abda Palace, Ba'abda, Beirut, Lebanon. Fax: + 961 1 425 391

## **Sudan**

### **Two children from Darfur face execution**

Gadim Hamdoun Hamid and Kabashi Alayan were 14 years old when they were arrested in May 2002 and now face execution.

They were arrested in connection with ethnic clashes between Rizeigat and the Maaliya groups in Al-Tabet, southern Darfur. Together with 86 adults (including two men of over 70), they were charged with crimes relating to murder, armed robbery [Arabic: *haraba*] and public disturbance. Before being tried, they were held for a period of over two months, during which the children, like most of the others, were reportedly tortured to confess. Following a judicial process which falls short of international standards of fair trial – they did not have a proper legal representation and confessions extracted from them under torture were used by the prosecution – they were sentenced to death by hanging by the Nyala Special Court in July 2002. Their appeal was rejected in August 2002 by the Chief of Justice in Darfur. Both children are thought to be held in detention in Kober prison in Khartoum North while their appeal case is pending before the High Court.

During the two years of their detention, the two children have lived with shackled hands and feet in prison with the fear of being executed and have not received any sort of education. The journey from southern Darfur to the prison in Khartoum North is more than 1,000 kilometres. Prison food and amenities are poor so in addition to travel expenses, the families have to incur the expense of food and other goods they bring to those in prison.

Please write, calling on the authorities not to execute Gadim Hamdoun Hamid and Kabashi Alayan – international law prohibits the execution of children – and for all other death sentences to be commuted. Call for those arrested to be given a fair trial which conforms with international standards or to be released.

Send appeals to: Lieutenant-General Omar Hassan Ahmad al-Bashir, President, President's Palace, PO Box 281, Khartoum, Sudan. Fax + 249 11 783223

[Update]

## **USA**

### **Compensation for family of executed child offender**

In February 2002, Napoleon Beazley's lawyers took his case to the Inter-American Commission on Human Rights (IACHR). They argued that the USA was violating its international obligations because Napoleon Beazley was 17 at the time of the crime for which he was sent to death row. The IACHR asked the authorities not to carry out the execution while it considered the claim. The request was ignored. Napoleon Beazley was executed in Texas on 28 May 2002.

The IACHR examined the claim anyway, and concluded that the USA had violated an international norm of *jus cogens* prohibiting the execution of anyone under 18 at the time of the crime. Its decision, made public in January 2004, explained that a *jus cogens* norm is one that is binding on all countries, including the USA, and one from which there can be no derogation.



The IACHR concluded that Napoleon Beazley's family should be provided with "an effective remedy, which includes compensation".

Please call for compliance with the IACHR's decision and for compensation to be provided for Napoleon Beazley's family. Send appeals to: The Honourable Colin Powell, Secretary of State, US Department of State, 2201 C Street NW, Washington, DC 20520, USA. Fax: +1 202 647 2283

See front page picture and *Worldwide Appeal*, July 2001.

## **Updates**

### **Awards for human rights defenders**

The inaugural AI Ambassador of Conscience Award was presented to Vaclav Havel in November 2003 by Irish poet Seamus Heaney. In the 1970s, Havel, a writer and dissident, was imprisoned several times by the repressive government of Czechoslovakia. In December 1989, after leading the "Velvet Revolution", he became the first president of the new Czechoslovakia.

The Award recognizes exceptional individual leadership in the fight to protect and promote universal human rights.

The 2004 Martin Ennals Award for Human Rights Defenders will be awarded to Lida Yusupova, coordinator of the Grozny office of the Moscow-based human rights non-governmental organization (NGO) Memorial. Memorial is one of the few NGOs still operating in Chechnya. Last year their office was attacked by the Russian army.

The award is given by a collaboration of 10 leading human rights NGOs, including AI. The chairman of the jury called Lida Yusupova one of the most courageous women in Europe today.

[Page 4]

### **Many killed in western Sudan's turmoil**

*"They arrived and asked me to leave the place. They beat women and small children. They killed a little girl, Sara Bishara, she was two years old. She was knifed in her back."*  
Aisha Ali from Sasa village, near Kornoy in Darfur, western Sudan

AI delegates spoke to Sudanese refugees on the Chad border in November 2003 about the violence that made Aisha Ali and thousands like her flee her country. Ishaq Jur Masarda's mother told delegates how her son was dragged out of his home and killed by militiamen. "They tied his feet and hands and slit his throat in front of people. The men were dressed in military uniforms, they had weapons, guns, horses and camels. My son did not have any weapons."

Hundreds of thousands of people have had to abandon their villages following attacks by Sudanese government forces and *Janjawid* militias supported by elements of the government. The government appears to have given a free rein to the militias, made up mostly of local nomadic groups, to raid the sedentary population as a way of undermining the armed opposition. The Sudan Liberation Army has taken up arms against the government in western Sudan since February 2003, citing the lack of government protection for farming communities and the under-development of the region. Another armed opposition group, the Justice and Equality Movement, has since emerged in Darfur.

The government has been bombing villages and small towns in the region, killing civilians and damaging homes. During one attack by both the army and militia on the village of Jafal, the *Janjawid* are reported to have told the local population: “You are opponents of the regime, we must crush you... Then all the Darfur region will be in the hands of the Arabs. The government is on our side. The government plane is on our side, it gives us ammunition and food.”

One youngster told AI: “It was 9am, I was in the classroom when the town was bombed, our teacher was teaching us history and geography when the plane bombed our school... The pupils fled. Sadam Umar, a pupil in my class aged 14 went out, he was hit. He died in the school courtyard... He was clever, he was the second in our class, he loved maths and to play football.”

More than 600,000 people have fled their homes, mostly to other towns in Darfur. Some towns in Darfur have doubled in size as a result. The Sudanese government has restricted the movement of humanitarian organizations in the region, saying that this is for their own safety. As a result aid has not reached those in greatest need.

Over 90,000 people have crossed the border to Chad where the local population is unable to cope with the influx of Sudanese refugees. Many are living in precarious conditions; lack of food, sanitation and access to health facilities are a constant threat to life.

AI is calling on the government of Sudan to stop the attacks of the *Janjawid* and to allow international human rights monitors and the establishment of an independent Commission of Inquiry in the region. There is optimism that the wider peace process with the southern-based Sudan People’s Liberation Army is reaching its final stages. However, peace in the south will be meaningless if the same abuses continue in the west.

## **The Pain Merchants**

### **Police and law enforcement officers across the world are misusing ‘security’ equipment to torture and ill-treat people.**

AI wants governments to control the manufacture and sale of security equipment that can be misused for torture. AI’s concerns range from the misuse of handcuffs, which have a legitimate policing use, to the use of electro-shock stun equipment to inflict torture. AI believes the use of electro-shock stun equipment should be suspended pending a rigorous independent investigation of its effects on human rights.

The trade in policing and security equipment is secretive and barely controlled by governments. The incidence of electro-shock torture appears to be growing, as is the number of companies manufacturing electro-shock equipment. Data from the Omega Foundation in the UK shows that in the mid-1990s there were 20 companies worldwide producing electro-shock weapons; by 1999-2003 this had nearly trebled to 59 companies.

Security equipment is exported to countries that are known to abuse it. At the end of 2002 the USA exported 9.3 tonnes of leg irons (banned by UN rules for the treatment of prisoners since the 1950s) to Saudi Arabia, a country that has used leg irons for torture.

Much of the security equipment being promoted to police and law enforcement agencies is described by its manufacturers as “less than lethal”. But in AI’s view, just because equipment is labelled as “less than lethal” does not mean that it cannot injure or kill. Fragments of a metal and plastic projectile shot from a “non-lethal” launcher lodged in a woman’s face during a demonstration in Geneva in March 2003; they cannot be removed for fear of paralysis.

There have been a number of deaths in North America of people struck by tasers (which shoot out two darts carrying wires, through which a 50,000-volt electric shock is delivered). AI's new report, *The Pain Merchants* (ACT 40/008/2003), describes many cases of excessive use of force. For example, a schoolgirl on a bus in Florida, USA, had a taser fired into her back – because she had been cheeky. AI recognizes that the police have a right and duty to defend themselves and protect the public. But any use of force must be subject to strict human rights standards such as those laid down in the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officers – crucially, it must be proportionate, and the minimum possible in the circumstances.

The European Commission (EC) has proposed a draft Trade Regulation, currently held up in committees, which would ban the export from member states of equipment designed primarily for torture such as leg irons, thumbcuffs and electro-shock stun belts (activated by remote control). It would also control the export of equipment with what the EC considers a legitimate policing use which can also be used for torture, such as tear gas, pepper spray and electro-shock stun weapons.

AI would like the draft regulation to be strengthened, but welcomes it as a positive step towards recognizing that governments must take control of the trade in instruments of pain.

## **Worldwide Appeal updates**

### **Morocco/Western Sahara**

Dkhil Moussaoui and Bazid Salek were released in January after receiving a royal pardon, along with more than 20 other political prisoners. Ahmed Nasiri was released at the end of his sentence. See *Worldwide Appeal*, July 2003.

Bazid Salek thanked AI for its support saying, “You helped me to get released when I was imprisoned before and you have contributed in a large part to my release this time. Credit must go to AI for bringing up my torture case with the UN. My whole family thanks you for helping to bring me home.”

‘Ali-Salem Tamek was also released in January. (See *Worldwide Appeal*, December 2002.) On his release he said, “I am very very grateful for all the letters I have received from AI members. Knowing of AI's campaign on our behalf has given me strength during my detention and to carry on my work as a human rights activist. This campaign led directly to my release. Our release demonstrates the weight of AI and the importance of its actions.”

### **USA**

Governor Brad Henry of Oklahoma has granted a 30-day stay of execution to former Vietnamese refugee Hung Thanh Le so that he can evaluate the recommendation for commutation to life sentence made by the Pardon and Parole Board. The Governor said that if he rejects the recommendation, execution should be carried out not more than 30 days from the expiry of the stay. Please continue to urge Governor Henry to grant clemency to Hung Thanh Le. See *Worldwide Appeal*, December 2003.

### **Turkey**

On 18 June 2003 Gülderen Baran received an official pardon on grounds of poor health and was released permanently. Thanking AI members for their support, she said, “In my hardest times they were next to me. I always felt their support when I was in trouble, when my conditions were the most difficult. They were like a light in the darkness. Now I'm free, and they have contributed to this.”

Please continue to appeal for an investigation into the allegations that Gülderen Baran was tortured in detention and for those responsible to be brought to justice. See *Worldwide Appeal*, March 2003.

**Israel/Occupied Territories**

Asma Muhammad Suleiman Saba'neh was released in November after spending nine months in administrative detention. See *Worldwide Appeal*, May 2003.