

The Wire

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Sudan's Janjawid militia attack Chadian civilians

"Get out of that house, slave. This is not your land."

R., 31 years old, from eastern Chad, recalls the cries of the Janjawid as they attacked his village on three consecutive days in February.

Tens of thousands of people have been forcibly displaced from eastern Chad after repeated assaults by the Janjawid militia. Since 2005 and increasingly in 2006, the Janjawid have attacked and looted villages and killed hundreds of inhabitants along the porous border between Sudan and Chad, penetrating as far south as the Central African Republic.

Eastern Chad is fast becoming another Darfur. Specific ethnic groups are being singled out for attacks. Communities have become polarized along ethnic lines: the Dajo and other "African" groups are attacked by Chadian groups, such as some Wadai and Mimi, who are forming alliances with the Sudanese Janjawid and are now identified as "Arabs".

The same Janjawid who have left a trail of death and terror in Darfur, Sudan, are now turning Chad into a killing field. They wear Sudanese military fatigues, and identity cards belonging to members of the Sudanese Popular Defence Forces (a paramilitary group working alongside the Sudanese army, into which many Janjawid have been incorporated) have been found at the site of attacks.

Janjawid aggression in Chad appears to happen in conjunction with attacks on Chad by Chadian rebels who operate out of Darfur with the reported logistical help of the Sudanese government. For instance, the Janjawid attack on Djawara in eastern Chad, in which 118 civilians were killed, occurred on 13-14 April. At the same time, Chadian rebels were mounting an assault against Chadian President Idriss Deby in the capital, N'Djamena. As the Chadian army regroups in towns to defend against Chadian rebels, it leaves rural areas unprotected and civilians at the mercy of Janjawid attacks.

The situation is dire. Many villagers have been displaced more than once. After deadly attacks, people have gathered in bigger settlements such as Koloy and Djawara, hoping that some semblance of an administrative presence would provide them with

better security. From there, many have fled to Goz Beida, a regional hub where a large camp for Sudanese refugees from Darfur was established by the UN High Commissioner for Refugees. Further south along the border, around Tissi, an influx of Chadian refugees across the border into Sudan suggests that attacks on civilians are continuing.

Meanwhile Darfur continues to bleed, despite the presence of an African Union force (which the UN is to replace at the end of September), overwhelming evidence of crimes against humanity by the Janjawid and the Sudanese government, and a referral of the situation to the International Criminal Court.

The failure to protect civilians in Darfur contributes directly to large-scale killings and massive forced displacement of Chadian civilians. For the past three years, AI has been calling for the Janjawid to be disarmed and their impunity ended. While the Chadian government must ensure its civilians are protected, the international community also has a “responsibility to protect” and must not let eastern Chad become another Darfur.

New allegations of torture in Jordan

“The beatings were so painful, I told him I was ready to say anything he wanted.”
Usama Abu Hazeem

Usama Abu Hazeem, Yasin Muhammad al-Haliq, Muhammad ‘Arabiat and Hatem al-Nasour were sentenced to death by the State Security Court (SSC) on 12 March on charges of conspiracy to carry out terrorist attacks. AI is concerned that their convictions followed “confessions” allegedly extracted under torture and that the men were denied legal representation during their interrogation.

Usama Abu Hazeem alleges that he was tortured and forced to sign a “confession” by General Intelligence Department (GID) officers. This occurred after he went voluntarily to the GID headquarters in Amman after officers had searched his house while he was out. He was detained incommunicado, interrogated and allegedly beaten by six officers: “[They] hit me on the feet continuously for a period of three hours...” He was told he would “never leave” until he signed their “routine” forms, which he was not permitted to read. At first, he refused but he was then beaten again until he signed.

The four men had their sentences commuted to 10 years’ imprisonment and their cases are currently pending appeal before the Court of Cassation.

Over the past 10 years more than 100 defendants have stated before the SSC that they were tortured to make them “confess”. Invariably the alleged torture occurred while

the detainee was held in incommunicado detention, which in the worst cases can last for months, at the GID.

In some cases medical reports appear to corroborate claims of torture, but in most cases any physical injuries have healed before a medical examination takes place, making it almost impossible to prove, or disprove, the allegations. Although some cases have been overturned because of “improper methods of investigation” the Jordanian justice system – particularly the SSC – continues to accept such “confessions” as evidence, even in death penalty cases that have led to executions.

In November 2005 AI condemned the bombing of three hotels in Amman which killed 60 civilians. Following these attacks the Jordanian government pledged to take a stronger line on Islamic militancy while ensuring liberal reforms. However, a draft Prevention of Terrorism Law that would allow for two weeks’ detention without charge of people suspected of possessing information about terrorism will reportedly soon be discussed by Parliament.

“Terror” suspects have been unlawfully transferred by US forces both to and from Jordan, where they are at risk of torture. Reports suggest that they are detained and tortured at the GID or at a secret desert prison, where they can be held and interrogated indefinitely outside legal and administrative due process. In the words of US Secretary of State Condoleezza Rice, “The United States has had no closer ally than Jordan in the war on terror.”

AI urges the Jordanian authorities to ratify the Optional Protocol to the UN Convention against Torture. See “*Your confessions are ready for you to sign*”: *Detention and torture in Jordan* (MDE 16/005/2006) to be published by AI in July.

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Living with HIV and AIDS in Swaziland

The small, mountainous country of Swaziland in southern Africa has the highest national HIV prevalence rate globally at 33.4 per cent of adults. Some 190,000 of its 1.1 million population are living with HIV/AIDS.

AI delegates visiting in April saw the challenges posed by the epidemic and the extent of suffering particularly in isolated rural areas. They visited a child-headed household accompanied by members of Swaziland Positive Living (SWAPOL), one of a number of organizations supporting orphans in their homes, on one of their routine visits. The homestead was in a remote rural location, a considerable walk from the nearest bus route. Of the five children, one was the four-year-old son of the head of the household – a girl of about 17 years of age. She became pregnant after being raped while attending a funeral. Both her parents died of HIV-related illnesses in 2004. None of the children attend school, and they have to walk miles each day to collect water and firewood. There is an electricity supply available for lighting but no money to pay the bills. The family’s fields are untended, and the only comforts in sight were the

provisions brought by SWAPOL. The children are at continuous risk of theft or sexual abuse.

Access to anti-retroviral treatment (ART) in public health facilities began in 2003, with the assistance of the UN Global Fund to Fight AIDS, Tuberculosis and Malaria, and other funders. In its December 2005 report for the UN General Assembly Special Session on HIV/AIDS, Swaziland confirmed that 11,550 of the estimated 26,000 people needing ART are now receiving it. Treatment is beginning to be offered to HIV positive pregnant women to prevent mother-to-child transmission, and to rape victims to prevent HIV infection.

Women, who are disproportionately infected and affected by this disease, also suffer low social status and precarious economic circumstances, particularly in rural areas where their access to land is controlled by chiefs and male relations. Their long-standing legal inequality has only recently begun to be addressed under the new Constitution which came into force in February 2006. Progress is now being made to redraft discriminatory laws which affect women's rights and ability to access justice.

Swaziland's patriarchal culture creates particular obstacles to women's access to prevention, information and treatment of HIV/AIDS. Traditional power relations within marriages and the extended family prevent women from protecting themselves against HIV transmission by making it difficult to negotiate condom use with male partners. They also place women at risk of domestic violence should they reveal their HIV status, and place girls at risk of early marriage or forced sexual relations. There is no clear political leadership on the crucial issue of male sexual conduct, in particular on multiple, concurrent partners, a key driver of the epidemic.

The death of both parents from AIDS leaves children facing enormous difficulties in accessing basic needs such as food and security, as well as education, treatment and information about health care. However, some locally based organizations are committed to supporting the particular needs of orphaned children. SWAPOL and Save the Children (Swaziland), for instance, are reaching out to orphans and other vulnerable children through feeding centres where one cooked meal is provided per day. Some 33,000 children currently receive daily meals and support from predominantly women volunteer carers.

Despite progress being made in the delivery of treatment programmes, it is clear that the country is battling to cope with its high HIV infection rate. Poverty, overstretched public health facilities and a poor transport infrastructure all impede access to care and treatment for people living with HIV/AIDS.

Sexual violence against women and girls in Jamaica

Enid Gordon was raped by two men when she was 15. Two men were arrested, charged and released on bail. On 12 October 2005, one week before she was due to testify against them, Enid Gordon was found strangled in the place where she had been raped a year earlier. Five months later, two suspects were arrested and forensic evidence taken, but results of the investigation are still pending.

Brenda, aged 34, suspected her husband was having affairs, so she asked him to wear a condom during sex. He refused and, despite knowing he was HIV positive, regularly

beat her until she submitted to having unprotected sex. Brenda nursed him until he died. She is now HIV positive but dares not disclose her status to her family or her church, and is worried her children will be thrown out of school.

These two women's stories illustrate the widespread sexual violence, discrimination and severe health risks women and girls face in Jamaica. Sexual harassment and assault by strangers, friends, family, acquaintances, and lovers is widespread. Thousands of women and girls on the island are sexually assaulted each year, but the state is failing to prevent and investigate these abuses and to punish the perpetrators.

Homicide rates in Jamaica are among the highest in the world and the availability of small arms exacerbates sexual violence against women. Gangs have become widespread – sometimes as the perpetrators of violence in communities, sometimes as protectors. Gang leaders are known to demand adolescent girls from their families and sexually exploit and assault them. Adolescent girls are especially vulnerable to sexual violence, partly because they are less likely to carry sexually transmitted infections.

Sexual violence also infringes on women's rights to social and economic well-being. It perpetuates poverty and spreads sexually transmitted diseases such as HIV/AIDS. Unprotected heterosexual sex is driving an HIV/AIDS epidemic in Jamaica. Women face many barriers to reporting sexual violence. Victims testified to AI that they fear they will not be believed, they are too scared of their attackers, or they will be told it was their fault. Numerous senior figures in society have blamed the violence against women on the abused – whether because of her “provocative” behaviour or “scanty” attire.

Women and girls who have been sexually abused cannot rely on the state to condemn the violence or to achieve justice or redress. Jamaican legislation does not guarantee gender equality in all its aspects. Sexual harassment and marital rape are not currently prohibited despite draft legislation which has been going through parliament since 1995. Sexual violence against women is treated less seriously when women or girls are assaulted by a member of their family or by someone who is known to them.

In its recent report, *Jamaica: Sexual violence against women and girls in Jamaica – “just a little sex”* (AMR 38/002/2006), AI calls on the Jamaican government to reform gender discriminatory legislation without delay, to make rape within marriage a statutory offence and to support an Arms Trade Treaty.

Japan's secret executions

In Japan there are no vigils outside prisons on the scheduled day of an execution. In most cases not even the prisoners themselves will know that their time has come. Only the authorities are privy to this kind of information – information that they will not share. This combined with a notoriously slow legal process means that not only are prisoners condemned to death, but they often face decades of uncertainty not knowing when or if their sentence will be carried out.

Akahori Masao, a former prisoner, spent 31 years on death row. Now aged 75, he recalls how he was dragged from his cell by five prison guards one morning in the early 1970s. The guards whispered nervously when they realized they had taken the

wrong man. He was returned to his cell and another man was taken away to be hanged instead.

Akahori Masao was 24 years old and homeless when he was arrested in 1954. He was tortured by police officers until he “confessed” to the rape and murder of a schoolgirl. Though he requested a retrial in 1961, this was not granted for another 28 years. In 1989, he was declared not guilty and released.

Most prisoners endure terrible conditions, including solitary confinement, for many years – in some cases for decades – while their appeals make their way through a bureaucratic legal system. Once all appeals are exhausted and death sentences finalized, an execution can take place at any time. And when it does, it is carried out under the strictest secrecy.

The authorities justify such secrecy by claiming that families are spared the shame of having it known that a relative has been executed. An executed prisoner’s name is not released and is only made public if the family chooses to disclose it.

But this only makes things worse for families with a relative on death row. The mother of Kimura Shuji tried to visit her condemned son on the morning of 21 December 1995. She was told that visiting hours were busy and to come back at noon. When she returned, she was asked whether she wanted to take her son’s body away for burial.

Executions usually coincide with a parliamentary recess so that lawmakers cannot debate the issue. According to former Justice Minister Usui Hideo, the policy is designed to deprive opposition politicians of any opportunity “to cause a big public row over the death penalty”.

Japanese parliamentarians also find it difficult to monitor conditions of detention for condemned prisoners. In 2003, nine ministers won the right to see an execution chamber. This was reportedly the first time since 1973 that the Ministry of Justice allowed people outside the penal and justice systems to see a death chamber.

By concealing executions, the Japanese authorities have effectively stymied public debate on the death penalty. Without such debate, abolition can only remain a distant dream.

Eighty-five prisoners currently remain on death row in Japan. The last execution took place in September 2005. AI hopes that in 2006, Japan will follow the growing international trend away from the use of capital punishment by introducing a moratorium on all executions and paving the way towards abolition.

See “*Will this day be my last?*”: *The death penalty in Japan* (ASA 22/006/2006) to be issued by AI shortly.

[box]

[image of comfort women leaflet: *Still waiting for justice*]

Up to 200,000 women and girls were forced into military brothels known as “comfort stations” by the Japanese army before and during World War II. AI’s leaflet, *Women survivors of Japan’s sexual slavery system* (ASA 22/002/2006), highlights individual testimonies of several of the elderly survivors of the “comfort women” system and, among other calls, urges the government of Japan to accept responsibility and to provide adequate and effective compensation.

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Worldwide appeals

BOSNIA AND HERZOGOVINA

Six men unlawfully detained by the USA in Guantánamo Bay, Cuba

“The Bosnian government was told by US officials that if these six people were not arrested, the US would withdraw its support for Bosnia.”

Stephen Oleskey, a US lawyer representing the six men

Mustafa Ait Idir, Belkacem Bensayah, Hadj Boudella, Saber Lahmer, Lakhdar Boumediene and Mohamed Nechle are all of Algerian origin. Most of them went to Bosnia and Herzegovina (BiH) in the early 1990s. All six men married Bosnian women and have children born in BiH. Five of them were granted citizenship and one the right to residency.

In October 2001 the six men were arrested by the Federation of Bosnia and Herzegovina (FBiH) police on suspicion of involvement in an alleged plot to attack the US and UK embassies in Sarajevo. On 17 January 2002, the FBiH Supreme Court ordered the men’s release, finding no basis to hold them. Although the US embassy in Sarajevo had indicated that it had evidence linking the men to al-Qa’ida and a planned attack on the embassy, this was not submitted to the court.

The same day the Human Rights Chamber for BiH issued an interim order to prevent the deportation, expulsion or extradition of four of the men. When the prison authorities released all six men they were immediately seized by the FBiH police, handed over to US forces and transferred to Guantánamo Bay, Cuba. Mustafa Ait Idir has allegedly been tortured and ill-treated there.

The Chamber later ruled that all six men had been arbitrarily expelled in violation of the European Convention on Human Rights. It ordered the authorities to take all possible steps to protect their rights and ensure they would not be subject to the death penalty.

In April 2006, following an appeal by Hadj Boudella’s wife, the Human Rights Commission within the BiH Constitutional Court found that the authorities had failed to implement the Chamber’s 2002 ruling.

To find out more about the legal details of Europe’s complicity in renditions, see AI’s report *Partners in crime: Europe’s role in US renditions* (EUR 01/008/2006).

Please write, calling on the authorities in the BiH to provide consular and legal assistance to the men and to take all necessary measures to ensure that the US authorities release them if they are not promptly charged with a recognizably criminal offence, and given a fair trial by an independent court.

Send appeals to: Prime Minister, Adnan Terzic, Trg BiH 1, 71000 Sarajevo, Bosnia and Herzegovina. Fax: +387 33 211 464.

RUSSIAN FEDERATION

Racist attacks on students

Lamsar Samba Sell, a student from Senegal, was shot dead in the early morning of 7 April. He was with a group of foreign students leaving a weekly gathering of inter-cultural friendship between Russians and foreigners when a gunman opened fire, shooting him in the back. An air rifle painted with a swastika was found nearby, although it was not thought to be the murder weapon. A criminal investigation was initiated and a suspect identified. Lamsar Samba Sell had taken part in anti-racism initiatives such as teaching secondary-school students about African culture and tolerance.

Lamsar Samba Sell's case is just one in a wave of violent racist attacks against foreign students that has swept the Russian Federation.

Twenty-year-old Vu Anh Tuan, a Vietnamese student at the St Petersburg Polytechnic University, was stabbed to death in October 2004 as he was walking to a metro station in the city. In another incident a group of people beat and stabbed Peruvian student Enrique Arturo Angelis Urtado to death in October 2005 in the city of Voronezh. Two other foreign students, Spanish and Peruvian, were badly injured during the attack.

The authorities acknowledge that racial hatred may have been the motivation for these attacks and criminal investigations in both cases have resulted in ongoing court proceedings. However, AI is concerned that, considering the scale of the problem, the Russian authorities have so far taken inadequate action to protect foreign students and members of ethnic minorities from racist violence and to bring to justice those who are guilty of such violent racist attacks.

Please write, expressing concern about the many reports of racially motivated attacks on foreign students in the Russian Federation. Call on the authorities to develop and implement a national plan of action to combat racism, discrimination and xenophobia.

Send appeals to: President Vladimir Vladimirovich Putin, The Kremlin, Moscow, 103132, Russian Federation.

Fax: +7 495 206 51 73/ 62 77/ 85 10.

IRAN

Writer detained without charge or trial

Ramin Jahanbegloo, a prominent intellectual and writer on democracy and non-violence, has been detained in solitary confinement since his arrest on 27 April. He is at risk of torture or other ill-treatment.

Ramin Jahanbegloo has joint Iranian and Canadian citizenship, and is the Head of the Department of Contemporary Studies at the privately run Cultural Research Bureau in Tehran.

The author of more than 20 books in Persian, English and French on philosophy and current affairs in Iran, he is also a frequent commentator on Iranian affairs in the international media.

Ramin Jahanbegloo was arrested at Tehran's Mehrabad airport. On 3 May, the Iranian authorities confirmed his arrest, but gave no reason for it. Some Iranian media believed to have close links to the authorities have reported that he is being held for allegedly co-operating with "counter-revolutionary" groups and US and Israeli intelligence services.

On 7 May Minister of Intelligence Gholam Hossein Mohseni Ejeie stated that Ramin Jahanbegloo was in the custody of his Ministry for "having contacts with foreigners", which is not a crime under Iranian law. AI fears that he may be held for the peaceful exercise of his right to freedom of expression. If so, he is a prisoner of conscience and should be released immediately and unconditionally.

Detained in solitary confinement, in Section 209 of Evin Prison, Ramin Jahanbegloo has not been permitted a visit by his family or lawyer. No formal charges were known to have been brought against him by 10 June. Under Iranian law, there is no legal limit to the time he can be detained before being charged or released.

Please write to the Iranian authorities, calling for Ramin Jahanbegloo to be granted immediate access to his family and lawyer, and for his immediate and unconditional release unless he is promptly charged and tried for a recognizably criminal offence.

Send appeals to: His Excellency Gholam Hossein Mohseni Ejeie, Minister of Intelligence, Ministry of Intelligence, Second Negarestan Street, Pasdaran Avenue, Tehran, Iran.
Email: iranprobe@iranprobe.com

YEMEN

Scheduled to be executed for crimes committed as juveniles

Hafez Ibrahim, 18, was scheduled to be executed on 6 April 2005 for a murder which he is said to have committed when he was only 16. His execution has reportedly been stayed until the President reaches a final decision on the case. According to a report in the daily newspaper *al-Ayyam* on 5 April 2005, Hafez Ibrahim called on the President to intervene to stop his execution and allow him to appeal against the sentence.

Another child offender, Adil Muhammad Saif al-Ma'amari is in danger of execution for a murder committed when he was 16 years old. Arrested on 27 July 2001, he reportedly confessed under torture to murdering a male relative during an argument. On the orders of a judge he was examined by a doctor, who reported on 10 October 2001 that he had not yet passed his 17th birthday.

Although the Yemeni penal code expressly prohibits the execution of anyone under 18, AI continues to receive reports of death sentences passed on children.

AI has longstanding concerns about the use of the death penalty in Yemen, particularly as death sentences are often passed after proceedings which fall short of international standards for fair trial.

Please write, calling on the President to prevent the execution of Hafez Ibrahim and Adil Muhammad Saif al-Ma'amari, stressing that the Yemeni penal code prohibits the execution of juveniles.

Send appeals to: His Excellency General ‘Ali ‘Abdullah Saleh,
President of the Republic of Yemen, Sana’a, Yemen.
Fax + 967 127 4147.

UPDATES

Myanmar

Su Su Nway was released from prison on 6 June (see *Worldwide Appeal* April 2006). “I am fine, but I don’t feel happy or sad about my release because forced labour still exists”, she said. “I will continue fighting against forced labour and all kinds of human rights abuses. I thank everyone who morally and physically supported me...” She was released during a meeting of the International Labour Organization, which has repeatedly called on the authorities to free her and others imprisoned in connection with reporting forced labour.

Her early release came shortly after the authorities extended the detention order of prisoner of conscience Daw Aung San Suu Kyi, General Secretary of the National League for Democracy (NLD), by a further year – the maximum period possible. Daw Aung San Suu Kyi has spent more than 10 of the last 17 years in detention. She and the NLD Vice-Chairman, U Tin Oo, have most recently been detained since 30 May 2003, after they and other party members were violently attacked (see *the Wire* June 2005).

More than 1,100 political prisoners remain held in deteriorating conditions in Myanmar’s prisons. There have been widespread calls for the release of Daw Aung San Suu Kyi and other political leaders, including by the UN Secretary-General, the EU, the governments of France, Indonesia, Malaysia, Norway, Singapore, Sweden, Thailand, the UK and USA.

Egypt

Mitwalli Ibrahim Mitwalli Saleh was released in April after spending nearly three years in administrative detention. An Islamic scholar, he was held for the religious views he had expressed in unpublished research.

See *Worldwide Appeals* December 2005.

Philippines

AI welcomes the Philippines becoming the 125th nation to abolish the death penalty in law or practice after the Philippine House and Senate passed legislation repealing the death penalty. AI now calls on President Gloria Macapagal Arroyo to enact the legislation into law. In April, President Arroyo commuted all death sentences to life imprisonment in what is thought to be the largest ever such commutation in modern times. AI hopes that the action by the Philippines will motivate others in the region that have not yet abolished the death penalty to follow suit.

Russian Federation

On 29 May Mikhail Trepashkin suffered a severe asthma attack during a court hearing of his petition for adequate medical treatment. The judge postponed the hearing and ordered his immediate hospitalization. However, later that day, six men from the prison colony forcibly took him from the hospital despite the fact that he was still undergoing treatment. His lawyer stated that, according to a 2004 government decree, his serious medical condition entitled him to be released.

See *Worldwide Appeal* May 2006 and *Russian Federation: Amnesty International calls for Mikhail Trepashkin to be released pending a full review of his case* (EUR 46/013/2006).

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UN condemns US record on torture

The UN Committee against Torture issued a report on 19 May, condemning the USA's failure to comply with its international obligations regarding torture and other cruel, inhuman or degrading treatment. Among other things, it called for the immediate closure of Guantánamo Bay on grounds that indefinite detention without charge violates the Convention against Torture.

The recommendations were published in response to the US government's first report to the Committee since the attacks of 11 September 2001 and subsequent launch of the "war on terror". The Committee was not persuaded by the USA's assertion that incidents of torture or other cruel, inhuman and degrading treatment in the "war on terror" were aberrations from the norm. Instead, its concerns went to issues of a systemic nature.

Among its other recommendations, the Committee called on the US government to end secret detention. Countering US claims that "disappearance" does not constitute a form of torture, it urged the government to take all necessary measures to stop enforced disappearances – a practice which breaches the Convention – in areas it controls, and bring perpetrators to justice.

The USA, it continued, must ensure that the Convention applies in times of peace as well as war, thus rejecting US claims that its actions in armed conflicts, however defined, were outside the scope of the Convention. The Committee further noted that the Convention applies fully to "all persons under the effective control of [US] authorities, of whichever type, wherever located in the world".

Prior to the Committee's examination of the US report, AI submitted USA: Amnesty International's supplementary briefing to the UN Committee against Torture (AMR 51/061/2006) detailing its concerns about US compliance with its obligations under the Convention. AI delegates also travelled to Geneva and addressed the Committee directly.

The briefing reviews several cases where detainees held in US custody in Afghanistan and Iraq have died under torture, and the lack of accountability for these deaths and other acts of torture. It also highlights the country's flagrant disregard of international law through its practice of rendition and secret detention, its transfer of individuals to countries where they face torture, and the indefinite detention of people designated as so-called "enemy combatants" at Guantánamo.

Violations of the Convention were not restricted to those detained as part of the "war on terror". AI's briefing also highlighted the organization's concerns about the excessive use of electro-shock weapons by law enforcement officials, the long-term confinement of prisoners in "super-maximum" security units, particularly the use of prolonged solitary confinement, and the shackling of pregnant inmates during labour. The Committee agreed with many of AI's concerns. Its recommendations make it clear that the USA has not done all in its power to outlaw or prevent torture or ill treatment.

It is time for the USA to take its international obligations seriously. It must ensure that those in its custody – wherever and however long they are held, and by whatever agency – are not subjected to acts of torture or ill treatment.

For further information on AI's campaign against torture see

<http://www.amnesty.org/stoptorture>

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Renditions in practice: the case of Mustafa Ait Idir

In January 2002, Mustafa Ait Idir was arrested in Bosnia and Herzegovina and handed over to US forces stationed there (see Worldwide Appeals, p.3). The arrest – made at the behest of US officials – marked the start of a dark and secret journey that took him from Sarajevo allegedly to Turkey and eventually Guantánamo Bay, Cuba.

While in Guantánamo, Mustafa Ait Idir has allegedly been tortured and ill-treated. A lawsuit, filed in April 2005, alleges that just a few days before Ramadan in 2003, guards entered his cell, secured his hands and slammed his body and head into the steel bed and floor. Guards forced his face into the toilet and repeatedly pulled the flush. Later, a garden hose was pushed into his mouth and the water turned on until he could not breathe.

About a year later, guards allegedly assaulted Mustafa Ait Idir again, taking him outside and jumping on him. One guard landed on his head, causing searing, radiating pains; others pressed their knees into his back.

Soon afterwards, one side of his face became paralyzed. Despite his request to go to hospital, he had to wait 10 days before receiving treatment. Mustafa Ait Idir has since been diagnosed with Bell's Palsy, which he believes was caused by this incident. Four years after his rendition he remains in Guantánamo, unaware of the precise charges against him or whether he will ever be released.

New treaty takes radical steps to prevent torture

The Optional Protocol to the UN Convention against Torture (OPCAT) entered into force on 22 June. The aim of the OPCAT is to prevent torture and other ill-treatment by requiring inspections of all places of detention to assess conditions and the treatment of detainees, and to make concrete recommendations. The visits will be carried out by international and national expert bodies. By ratifying the OPCAT, states agree to allow such visits at any time without the need for any further consent.

To date the following countries have ratified: Albania, Argentina, Bolivia, Costa Rica, Croatia, Denmark, Georgia, Honduras, Liberia, Maldives, Mali, Malta, Mauritius, Mexico, Spain, Sweden, Paraguay, Poland, UK and Uruguay.

The OPCAT represents a radically new approach to the prevention of torture and ill-treatment within the UN framework by combining international and national efforts. It will establish an international expert body, the Subcommittee on Prevention, and requires states to establish independent “national preventive mechanisms”. Unlike existing UN mechanisms, these bodies will not depend on an invitation from a state but will be mandated to conduct regular, unannounced visits to any place of detention.

Regular inspections constitute an effective part of an overall strategy to prevent torture and ill-treatment. AI has recently issued a number of publications about prolonged incommunicado and secret detention, renditions and enforced disappearances, which demonstrate that a lack of transparency, supervision and accountability surrounding the deprivation of liberty is often linked to torture and ill-treatment. By opening up places of detention to regular external independent scrutiny, governments that have agreed to the OPCAT are providing a key additional safeguard to protect the rights of all people in any place of detention.

See www.ohchr.org/english/law/cat-one.htm

ACT NOW!

Call on your government to sign and ratify the Optional Protocol without delay.

Victims' fund launches on International Justice Day

AI calls on all governments to make voluntary contributions to the International Criminal Court's Trust Fund for Victims. Each year AI takes action to ensure the success of the International Criminal Court. International Justice Day on 17 July marks the anniversary of the adoption of the Rome Statute of the International Criminal Court.

Established by the Rome Statute, the Trust Fund will benefit victims of genocide, crimes against humanity and war crimes which have been investigated and prosecuted by the Court. Its resources will ensure that reparations orders made to victims by the Court are fulfilled. Resources will also be used to fund projects and activities designed to help victims of the horrific crimes in situations under investigation.

The work of the Trust Fund is guided by a Board of Directors made up of: former Chairman of the Truth and Reconciliation Commission of South Africa and Nobel Peace Laureate Arch-bishop Desmond Tutu; former Prime Minister of Poland and former UN Special Rapporteur on human rights on the territory of the former Yugoslavia Tadeusz Mazowiecki; former President of Trinidad and Tobago Arthur N.R. Robinson; Queen Rania Al-Abdullah of Jordan; former Minister of Health of France and former President of the European Parliament Simone Veil.

The Trust Fund will shortly begin its work for victims of the three situations being investigated by the Court: Democratic Republic of Congo, northern Uganda and Darfur, Sudan. All three situations involve very large numbers of victims who urgently need assistance.

The Trust Fund, which is funded primarily by voluntary contributions, requires a significant amount of resources this year in order to make a positive impact.

ACT NOW!

Please write to your government urging them to make a voluntary contribution to the Trust Fund for Victims this year and to make regular annual contributions to ensure its stability and success.

Long walk to justice for Bhopal survivors

A group of shareholders of Dow Chemical, including AI USA, challenged the company's management at its annual meeting of stockholders on 11 May. The group presented a resolution demanding that Dow Chemical management report by October any new initiatives they have taken to address specific health, environmental and social concerns of survivors of the Bhopal gas leak of December 1984 in India. The resolution won the support of over 6 per cent of shareholders, paving the way for its reintroduction next year. A small victory for the Bhopal campaign, this is certainly not the last Dow Chemical will hear of the issue. If the company does not act soon, its bad reputation may undermine its business ventures in Asia.

Only a few weeks earlier, Indian Prime Minister Manmohan Singh agreed to a list of demands presented by a group of Bhopal survivors. Access to clean drinking water, a clean-up of the factory site, and the creation of a national commission for medical and economic rehabilitation were promised by the Prime Minister. But calls to prosecute UCC/Dow Chemical were rejected.

The survivors, numbering about 150, arrived in New Delhi on 25 March, having walked the 800 km from Bhopal. After more than a month marching and almost another month in the capital city staging a sit-in, the Prime Minister agreed to the majority of their demands.

Although the Indian government's latest statements are very positive, it is by no means certain that those words will be backed up by action. And with Dow Chemical resisting its responsibilities, justice for Bhopal's victims is still a long walk ahead.