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國際特赦組織香港分會

Amnesty International Hong Kong

- The largest human rights organisation in the world, with around 1 million members and supporters in 140 countries and territories.
- A democratic, membership-based organisation that has been promoting human rights, as enshrined in the Universal Declaration of Human Rights and other international standards, for the past 40 years.
- A campaigning organisation which works to fight discrimination; free prisoners of conscience; ensure fair and prompt trials for political prisoners; abolish the death penalty, torture and other cruel treatment of prisoners; end political killings and "disappearances"; and oppose human rights abuses by opposition groups.
- 全球最大的人權組織，現時共有超過一百萬名會員及支持者，分會遍佈一百四十個國家和地區。
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- 一個運動組織，目標是對抗歧視；爭取釋放良心犯；確保政治犯迅速得到公平的審判；廢除死刑、酷刑和不人道的懲罰；終止司法外處決和「失蹤」，以及反對任何剝削人權的行為。

Amnesty International Hong Kong Section was founded in 1976. The Human Rights Education Charitable Trust was established with the Hong Kong Section and registered as a charity in Hong Kong in 1993. Our activities include:

Human Rights Education
Lobbying Governments
Campaigning
Fundraising

國際特赦組織香港分會於一九七六年成立，而分會屬下的人權教育慈善基金於一九九三年成立並在香港註冊為慈善團體。活動包括：

人權教育、遊說政府、人權運動、籌款

HR stands for human rights, the protection of which is the core ideal that Amnesty International fights for. We have therefore decided to use it as the name of this bi-monthly newsletter of the Hong Kong Section. We hope the newsletter will be an effective means to communicate with our members and the public. You are most welcome to send any comments to us on its content or the work of Amnesty International at any time. Please email admin-hk@amnesty.org or write to us at the address on the right.

人權是國際特赦組織爭取的核心理想，我們現在以此作為香港分會的雙月通訊的名稱。我們同時期望它能夠成一個與會員及公眾溝通的有效方法。您對此刊物的內容甚至國際特赦組織的工作提出意見是無任歡迎的，請寄電子郵件致 admin-hk@amnesty.org 或致函右面的地址。

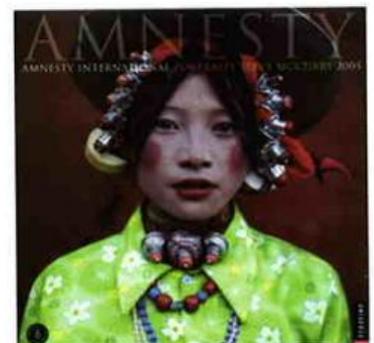


Kalma IDP camp near Nyala, Darfur
就近達富爾 Nyala 的 Kalma 難民營
© Evelyn Hockstein/ Polaris



Cover: The international launch of the Control Arms campaign took place in Trafalgar Square, London on Thursday 9 October 2003, with national launches in around 50 countries worldwide.
封面：2003年10月9日，軍火監控運動的國際開展活動於倫敦特拉法加廣場舉行，與此同時，全球50個國家亦展開這運動。© AI

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Contact us 聯絡資料

Tel 電話：+852 2300 1250

Fax 傳真：+852 2782 0583

Email 電子郵件： admin-hk@amnesty.org

Web site 網址： www.amnesty.org.hk

Address: Unit D, 3/F, Best-O-Best Commercial Centre, 32-36 Ferry Street, Kowloon, Hong Kong

地址：香港九龍渡船街32-36號富利來商業大廈3樓D室

A record high number of voters have taken a step to decide who should be representing them in the legislature in the coming four years in the September 12 election. The right to universal suffrage and equal access to public service is outlined in Article 21 of the Universal Declaration of Human Rights. While Amnesty International believes the composition of Legco has yet to be reformed to achieve this principle, it is important for the people to create opportunities to push forward this agenda. Power's people is not an alien idea to the people in Hong Kong, especially after July 1, 2003.

Steps should also be taken to stamp out massive involuntary and enforced disappearances worldwide. This is a crime committed by the state that places hundreds of thousands of individuals outside of the protection of law, and denies their rights as human beings.

Family members of those who have disappeared suffer enduring grief and helplessness when truth, justice and redress cannot not be sought through institutionalised legal procedures. This issue's feature (p.4) provides more information on the situations of enforced disappearances in some countries in Asia, and the recent development of a drafted convention.

Steps also need to be taken to stop using rape as a weapon of war. In Darfur, Sudan, women and girls have been systematically raped, abducted for sexual slavery, or even killed. Their suffering goes far beyond this, as rape has a devastating and ongoing impact on the health of women and girls. Survivors face a lifetime stigma and marginalisation from their own families and communities. Women and girls are being attacked simply because they are women, and they are being used to humiliate, punish, control and inflict fear on the community to which they belong. The Amnesty International High Level Mission in Sudan reveals the bigger picture. (p.7)

Steps should also be taken to break the silence of violence against women. The Hong Kong section has joined the six-year global campaign that was launched in March this year. Running between November 25 (International Stop Violence Against Women's Day) to December 10 (International Human Rights Day), a series of campaigns and educational activities will be organised to highlight violence against women as human rights violations, and to push the government responsible to exercise due diligence. If you are interested in participating, please contact the office for information on how you can help.

Si-si Liu

今年9月12日，前所未有那麼多選民決定出來，選出能夠在往後四年在立法會代表他們聲音的議員。《世界人權宣言》第二十一條保障了人人有普遍和平等的投票權及參加公務的權利。當我們認為立法會的組成方法仍有待改革，以達至上述原則之際，最重要是人們能開創機會，推動這項議題。對於香港人來說，人民力量已經不再陌生，尤其是2003年7月1日之後。

要消除全球大規模非自願及強迫失蹤事件，便必須採取一些措施。國家將數以十萬計的個別人士排除於法律的保障之外，並否定其作為人的權利，這是國家所犯的罪行。當未能循制度中的法律程序尋求真相、公義及糾正錯誤之時，失蹤者的家庭仍需承受長久的悲傷及感到無助。在這一期通訊裏（第4頁）將講述更多有關亞洲一些國家強迫失蹤問題的情況，以及關於這個問題的草擬條約的最新發展。

要終止大規模強暴被用作戰爭武器的情況，便必須採取一些措施。在蘇丹達爾富爾，婦女及女童遭到有系統的強暴、綁架作性奴或甚至殺害。所造成的傷害遠超強暴本身，並對那些婦女及女童的健康帶來持續及巨大的影響。倖存者將面對一生的恥辱，以及遭家人及社區所排斥，被邊緣化。婦女及女童只因身為女性而受到攻擊，並且被用作使所屬社區感到羞辱、被懲罰及控制，製造恐懼的工具。國際特赦組織派出的代表團曾前往蘇丹訪問，從照片中可揭露當中的境況（見第7頁）。

面對婦女被使用暴力，要停止保持緘默，便必須採取一些措施。國際特赦組織香港分會已於今年三月加入持續六年的全球運動。自11月25日開始（國際停止對婦女使用暴力日）至12月10日（國際人權日）期間，將舉辦連串社會運動及教育活動，指出對婦女使用暴力這種人權侵犯的行為，並推動政府為作出適當努力負責。假如你有興趣參與，請與我們辦事處聯絡，了解如何可以幫上忙。

廖珮珊





"Disappearance"



Women whose relatives have 'disappeared' in Sri Lanka show the photos of their missing loved ones
斯里蘭卡一班婦女手持已「失蹤」深愛親人的相片

Throughout the world, people who have "disappeared" have been arrested or abducted by state agents, but the governments of these countries deny holding them, thereby placing them outside the protection of the law. Often they are tortured – or killed. New cases are recorded in dozens of countries each year.

Notorious for their occurrence in Argentina, Chile and other countries in the 1970s, "disappearances" are more than just a "Latin American problem". Hundreds of thousands of people have "disappeared" all over the world. The stories on this page illustrate the continuing widespread nature of "disappearances", the agony suffered by relatives, and some of the moves being taken to address this issue.

「失蹤者」被國家人員拘捕或綁架了，但卻因為政府不承認禁錮著他們，以致他們無法受到法律的保障。他們很多時會受到虐待、甚至被殺害。數以十計的國家每年都記錄得新的個案。

儘管「失蹤」問題在 1970 年代於阿根廷及智利及其他國家已是眾所周知，但這並非只是「拉丁美洲的問題」。全球已有數十萬計的人「失蹤」。這裡所載的故事說明了「失蹤」問題的廣泛性及持續性、失蹤者親屬所受的痛苦以及針對這個問題所採取的一些行動。

Thousands of 'disappearances' in Sri Lanka

Since 1980 more than 12,000 cases of "disappearances" have been reported to the United Nations in the context of the conflict in Sri Lanka. Four presidential commissions of inquiry investigating "disappearances" between 1987 and 1994 found evidence of more than 20,000 cases. The actual figure is likely to be higher. While it has taken some measures to account for the thousands of "disappearances", Sri Lanka continues to have one of the highest levels of such unresolved cases in the world.

Since 1994, the government in Sri Lanka has taken several initiatives to try to address the problem, including the creation of a National Human Rights Commission and commissions of inquiry. It has also created special units in the Attorney General's department and the police department to investigate and prosecute perpetrators of people who have "disappeared". In 2001 it set up the Central Police Registry of arrests and a telephone hotline for relatives to locate those who have gone missing.

Still, few security force personnel in Sri Lanka have been prosecuted for the illegal arrest, torture and killing of people who have "disappeared". Successful prosecutions have been obstructed by the fact that the police are mainly responsible for investigations, and are reluctant to gather evidence against their colleagues.

Furthermore, members of the government in Sri Lanka have put pressure on the Attorney General's department not to proceed with investigations and prosecutions. Meanwhile, the government has still not passed a law making "disappearances" a punishable criminal offence.

斯里蘭卡有數千人「失蹤」

自 1980 年以來，已有逾 12,000 宗有關在斯里蘭卡衝突中「失蹤」的個案曾向聯合國作出舉報。1987 至 1994 年間，據四個總統委派的調查委員會調查所得，搜集到的證據涉及多達 20,000 宗個案。實際的個案數目可能更多。儘管斯里蘭卡已採取一些措施向數以千計的「失蹤者」負責，但斯里蘭卡仍然持續成為全球有最多未解決個案的國家之一。

自 1994 年以來，斯里蘭卡政府主動採取了多項措施，嘗試處理這個問題，包括透過成立國家人權委員會及調查委員會。政府也在檢察總長部門及警察部門內成立多個特別小組，以調查及檢控「失蹤」問題的行兇者。2001 年，政府就拘捕行動設立中央警察登記處以及電話熱線，以便被拘禁者的家屬可以查找到他們的下落。

儘管如此，極少保安部隊人員因為非法拘捕、虐待及殺害「失蹤者」而被檢控。事實上，要成功檢控的確遇到很大障礙，因為警察是進行調查的主要部門，而警察並不願意搜集有關同僚的罪證。

再者，政府部門也向檢察總長施壓，妨礙調查及檢控繼續進行。與此同時，政府也尚未通過法律，使「失蹤」成為可懲罰的刑事罪行。

Wives of those who have 'disappeared' in India face poverty and hardship

Years after their relatives "disappeared", hundreds of Indian families still do not know what happened to them. Without effective legal redress, families continue to experience frustration and helplessness as well as grief. The UN Human Rights Committee considers that the suffering by relatives of those who have "disappeared" can amount to torture or ill-treatment.

Unlike other widows, wives of the "disappeared" often have problems with inheritance and property rights, and may be denied a widow's pension. The resulting poverty can often lead to their children being denied adequate medical care and basic education.

In India, "disappearances" have mainly taken place in states where there have been secession movements. Thousands of people, for instance, "disappeared" at the hands of the security forces during a period of armed insurgency in the Punjab between 1983 and 1994.

According to the Jammu and Kashmir government, around 3,750 "disappearances" have taken place in the state since the outbreak of armed militancy in 1989. Despite hundreds of families pursuing habeas corpus and other petitions through the courts, only a handful of cases have been resolved. For more than a decade, AI has been urging the government of India to ensure that those responsible for "disappearances" face justice for their crimes.

印度「失蹤者」的妻子面對著貧窮及困苦

數以百計印度家庭在家人「失蹤」後多年，至今仍然不知道他們發生了甚麼事。由於欠缺有效的法律糾正，這些家庭仍然繼續經歷著沮喪、無助及悲傷。聯合國人權委員會正考慮將「失蹤者」親屬所承受的痛苦視為虐待或殘忍對待。

與其他寡婦不同，「失蹤者」的妻子經常遇到遺產繼承及物業權利的問題，並且在領取寡婦恩恤金時也可能被拒絕。由此而起的貧窮常常導致孩子未能得到足夠的醫療照顧以及接受基本教育。

在印度，「失蹤」問題主要發生在多個有脫離聯邦運動的省份。1983至1994年旁遮普省出現武裝叛變期間，數以千計的人在保安部隊手上「失蹤」。

根據查謨及喀什米爾政府的資料，自從1989年爆發武裝戰鬥以來，約有3,750宗「失蹤」個案發生在該省。儘管數以百計家庭申請人身保護令或透過法院作其他請求，但只有很少個案得到解決。過去超過十年來，國際特赦組織一直促請印度政府確保所有須為「失蹤」問題負責的人要為他們的罪行接受法律制裁。

Bill to criminalise 'disappearances' proposed in Mexico

Over the last 30 years, Guerrero State has seen more "disappearances" at the hands of state authorities than any other state in Mexico. In a recent development, the governing state Congress has been considering a bill to criminalise "forced disappearances" to bring the state legislation in line with international human rights standards.

Current legislation in Guerrero State prohibits the crime of kidnapping for ransom, but does not address "disappearances" by the authorities or their agents. Because of this, the offence is more difficult to investigate and to punish those responsible.

Relatives of people who have "disappeared" such as Faustino Jiménez Alvarez, last seen on 17 June 2001 when five police officers dragged him out of his house, remain in perpetual distress, receiving neither justice nor redress.

The "Bill of Law to prevent and eradicate the forced disappearance of persons in Guerrero State" was proposed by local non-governmental organisations and the State Human Rights Commission. It would be a key mechanism for preventing and punishing those responsible for this crime in Guerrero, and would set an important precedent in Mexico.

However, the bill is not supported by the congressional Justice Commission, which must give its approval before the bill can be put to a vote in the Guerrero Congress.

AI is also concerned that members of Guerrero's Congress have failed to commit themselves to a specific timetable to vote on the bill.

墨西哥法案提議將「失蹤」問題刑事化

過去超過30年，在Guerrero州，在政府機關手上「失蹤」的人比墨西哥其他州都要多。在最近的發展中，州議會正考慮一項法案，擬將「強迫失蹤」刑事化，使州法律追上國際人權標準。

Guerrero州現行的法律禁止綁架勒索罪行，但並沒有處理由政府當局或政府人員造成的「失蹤」問題。因此，這種罪行也較難調查及懲罰。

例如「失蹤者」Faustino Jiménez Alvarez的親屬最後一次看見他是在2001年6月17日，當時五名警察將他從屋裏強行帶走。他的親屬仍然承受著無休止的痛苦，至今得不到公義或補償。

當地一些非政府組織及國家人權委員會提出一項「防止及消除使人在Guerrero州強迫失蹤的法案」。這將會是Guerrero州防止及懲罰此種罪行的主要機制，而且會為墨西哥開創重要的先例。

然而，這項法案並未得到國會的司法委員會所支持。法案必須先得到司法委員會的許可才能交由Guerrero國會表決。國際特赦組織也關注到Guerrero的國會議員未能承諾何時將法案付之表決。



"Disappearance" 『失蹤』

New UN treaty set to combat 'disappearances' worldwide

"Less than 50 years ago, people were not internationally protected from torture, but in 1984 the UN adopted an international Convention against Torture. The importance of this legal instrument in the fight against torture is now widely recognised. It is now time for governments to take concrete action against 'disappearances' by adopting a similar treaty against this egregious form of human rights violation."

On a more optimistic note, after more than two decades of campaigning by relatives and human rights organisations, a UN working group – meeting in Geneva from 4 to 8 October 2004 – has been charged with drafting an international treaty against enforced "disappearances".

"A draft text circulated in June contains many innovative features. The danger is that some of these may be watered down because of opposition by states which oppose a treaty on disappearances," says Martin Macpherson, Director of International Organisations at Amnesty International.

AI is calling on all governments to support the speedy adoption of a strong treaty, which would help human rights workers and victims' relatives in their efforts to combat "disappearances" worldwide.

The current draft provides that no one shall be subjected to "enforced disappearance", and that victims and their relatives have a right to the truth regarding this matter.

States party to the treaty must incorporate a specific crime of "enforced disappearance" in their national laws. States must investigate complaints and reports of "enforced disappearance" and bring those responsible to justice, including suspected perpetrators from other countries present in their territory.

States must also establish preventive safeguards for people in custody. They must provide for an urgent judicial remedy which relatives can invoke to discover victims' whereabouts and ensure their well-being.

States would be required to make reparation to the victims, and to take remedial measures regarding children of those who have "disappeared".

People must not be forcibly returned to a country where they are at risk of "disappearing".

An international expert monitoring body will have the power to search for those who have "disappeared" in states party to the treaty, and to hear complaints from individuals alleging that their rights under the treaty have been violated.

As Mr. Macpherson comments, "Less than 50 years ago, people were not internationally protected from torture, but in 1984 the UN adopted an international Convention against Torture. The importance of this legal instrument in the fight against torture is now widely recognised. It is now time for governments to take concrete action against 'disappearances' by adopting a similar treaty against this egregious form of human rights violation."

訂立新的聯合國條約對抗全球「失蹤」問題

「不足 50 年前，人們於國際上並沒有免受虐待的保障，可是到了 1984 年，聯合國通過了禁止酷刑公約。在對抗酷刑方面，這項法律工具的重要性現已被廣泛確認。現在是時候各國政府採取具體行動對抗『失蹤』問題，採納同類的條約，對抗形式上如此荒謬的人權侵犯。」

令人感到較樂觀的是，經過「失蹤者」親屬及人權組織超過二十年推動的努力，一個聯合國工作組於 10 月 4 日至 8 日舉行會議，會議的任務是草擬一項反對強迫「失蹤」的國際條約。

國際特赦組織的國際組織事務總幹事 Martin Macpherson 表示：「草擬條約於 6 月傳閱時，內容載有很多創新的建議。危險的是當中部分建議可能會因為一些反對就失蹤訂立條約的國家提出反對而被削弱了。」

國際特赦組織現正呼籲所有政府支持快速採納一項強而有力的條約，幫助人權工作者及受害者親屬去努力對抗全球的「失蹤」問題。

現時的草擬條約載明，沒有人可以被「強迫失蹤」，而受害者及其親屬有知道真相的權利。

締約的國家必須在其國家法律中寫入「強迫失蹤」這種特定罪行。國家必須調查投訴及有關「強迫失蹤」的舉報，並將須負責任的人，包括來自其他國家但卻身在其國土的懷疑侵犯者繩之以法。

國家必須為被拘禁人士制訂預防性的保護措施，必須為「失蹤者」的親屬提供緊急的司法措施，使親屬可以行使法律權力，找到受害者的下落，確保他們安好。

國家須向受害者提供補償，並且對「失蹤者」的孩子採取補救措施。

人們不得被強迫遣送回可能受到「失蹤」危機威脅的國家。

一個由國際專家組成的監察團體會被賦予權力，前往條約的締約國尋找「失蹤者」，並且聆聽個別人士指稱於條約下權利受到侵犯的投訴。

正如 Macpherson 表示：「不足 50 年前，人們於國際上並沒有免受虐待的保障，可是到了 1984 年，聯合國通過了禁止酷刑公約。在對抗酷刑方面，這項法律工具的重要性現已被廣泛確認。現在是時候各國政府採取具體行動對抗『失蹤』問題，採納同類的條約，對抗形式上如此荒謬的人權侵犯。」

Distress, denial and disappointment in Darfur

在達爾富爾的困苦、拒絕承擔責任與失望



Child in Kalma IDP camp near Nyala 就近 Nyala 的 Kalma 難民營的兒童 © Evelyn Hockstein/ Polaris

The picture is one of distress of people whose lives and livelihood have been destroyed, denial of responsibility by the Sudanese government and disappointment at the slow progress to resolve this crisis.

An Amnesty International delegation headed by Secretary General Irene Khan visited Darfur from 14-21 September 2004. The visit confirmed AI's earlier analysis of attacks on villages by government supported Janjawid militia, in some cases backed by the Sudanese armed forces, the killing of civilians, and the looting and burning of homes.

The delegation heard first hand accounts of atrocities from those in camps and villages in western and southern Darfur and saw villages either burnt to the ground or abandoned.

Two women described how, in February 2004, their village in western Darfur was attacked, leaving some 130 dead. So many men had been killed that the women buried as many of the dead as they could before nightfall, placing the rest of the bodies in a shelter. But the Janjawid returned in the night to burn those bodies.

The AI delegates visited displaced people from nomadic tribes now in Musai camp near Nyala, where they heard "mirror image" accounts of killings and of rapes.

"People are still being uprooted from their homes by fighting as well as by deliberate attacks on civilians," stated Bill Schulz, AI USA Executive Director, describing the recent arrival of 3,000 refugees at Kalma camp.

Although the government had increased the number of police in Darfur, AI noted that they were not properly equipped. Also, displaced persons said that police did not investigate their complaints and that some Janjawid had been absorbed into the police and government militia.

"Because of rampant insecurity and the failure to address past abuses, those who have suffered say they do not trust the government. They say they don't feel safe in the camps... [and] they do not feel safe enough to return to their villages," said Samkelo Moxhine, Chair of AI South Africa.

The AI delegation also found that the Government "safe areas" were not providing real safety, but instead were act-

ing as a disincentive for restoring security elsewhere.

"The UN must persuade the Government of Sudan to abandon this concept and instead put its weight behind the already agreed Plan of Action to enhance safety throughout Darfur by stopping violations of human rights and international humanitarian law, respecting the ceasefire, disarming and disbanding the militia, and ending impunity."

AI welcomed the request by the United Nations Security Council for the rapid establishment of an independent International Commission of Inquiry to investigate war crimes and crimes against humanity and establish whether genocide has taken place.

The delegation concluded that the situation remains precarious. "The region does not have the infrastructure to allow a humanitarian operation of this scale to be run for a long period of time. If displacement continues, access is lost, international assistance and attention drops, there is still a possibility that the crisis could turn into a catastrophe."

達爾富爾這張圖畫就是，人們的生命及生活被摧毀；蘇丹政府拒絕承擔責任及解決危機的進展非常緩慢。

2004年9月14至21日，國際特赦組織代表團在秘書長Irene Khan的帶領下探訪達爾富爾。此次行程證實了國際特赦組織較早前就以下情況的分析，包括多條鄉村受到由政府支持的武裝分子Janjawid甚至有時得到蘇丹武裝部隊支持的襲擊、平民被殺、家園被搶掠及焚毀。

代表團從難民營及達爾富爾西部及南部村落聽到很多關於殘暴行為的第一手資料，同時也親睹一些鄉村被燒成白地或因逃難而人去留空。

兩位婦女形容她們位於達爾富爾西部的鄉村於2004年2月如何遭到襲擊而導致逾130人死亡的事實。由於很多男人被殺死，婦女因此得將他們埋葬。一些婦女將當天晚上未及埋葬的屍體放在遮蔽處，但Janjawid卻於當天晚上截返，並且把那些屍體燒毀。

代表團探訪了來自游牧部族的難民，他們目前居住在接近Nyala的Musai難民營，而所聽到的殺害及強暴的事件與上述婦女的經歷類同。

國際特赦組織美國分會總幹事Bill Schulz形容最近抵達Kalma難民營的3,000逃難人潮時表示：「人們因為要逃避激烈打鬥及故意對平民的襲擊，正被滅絕式地趕離家園。」

儘管政府增加了達爾富爾的警察人數，但國際特赦組織表示，當地警察並沒有足夠的裝備，再者，警察不會調查難民的投訴，而部分Janjawid武裝分子也已被吸納成為警察及政府民兵。

國際特赦組織南非分會主席Sankela Mokhine表示：「由於極度缺乏安全感，以及政府未能處理過往的侵犯情況，曾經受害的人表示並不相信政府，他們感到在難民營並不安全…[而且]他們感到回到本身的村落也不安全。」

國際特赦組織代表團同時發現，政府的「安全地區」並沒有提供真正的安全，以致成為了別的地區重整保安的消極因素。

「聯合國必須遊說蘇丹政府摒棄這個概念，反之，應該看重已經同意的行動計劃，停止侵犯人權及國際人道法，尊重停火協議、解除武裝及解散民兵、終止逃責，以加強整個達爾富爾的安全。」

國際特赦組織歡迎聯合國安理會要求迅速成立獨立的國際調查委員會調查戰爭罪行，以及違反人道的罪行，並查證有否發生種族滅絕。

代表團的結論是，達爾富爾的情況仍然不穩定。「這個地區並沒有基建足以讓相當規模的人道救援去長期運作。假如人民繼續逃難，而進入該區的渠道失去，國際援助及關注下跌，危機很可能會演變成災難。」

強暴成為了達爾富爾的戰爭武器

「超過15名婦女及女童在鄉村的不同小屋被強暴，Janjawid甚至打斷她們部分人的腳以防止她們逃走。」

「在六天裏的每個晚上，5至6人會強暴我們，一個接著一個，持續好幾個小時。發生了這件事之後，我的丈夫並不原諒我，並且斷絕與我的關係。」

國際特赦組織在《當強暴成為戰爭武器時》報告中，形容了這種有組織地針對婦女的暴力，並且在結論中表示，達爾富爾的大規模強暴是戰爭罪行及違反人道的罪行，而為了終止這種罪行所作的努力卻是少之又少。

報告是根據數百項證辭，當中揭露了婦女及女童稚齡如八歲已受到Janjawid強暴、綁架以及強迫成為性奴。儘管蘇丹政府承諾解除Janjawid的武裝，但婦女及女童仍然沒有受到保護。事實上，在國際特赦組織所記錄的個案中，大部分都涉及蘇丹軍隊直接參與或目擊暴行的經過。

報告中表示：「這些婦女所承受的痛苦及罪行遠超過強暴本身，強暴對婦女及女童的健康造成了毀滅性及持續的影響。生還者正面對一生的恥辱，以及受到家庭及社區的邊緣化。」

報告的結論指出，「婦女及女童受到攻擊，不單止使婦女非人化，而且更是羞辱、懲罰、控制、使恐懼、排除女性，以及迫害她們所屬的社區。」

國際特赦組織呼籲：

- 立即派出已受訓的專業醫療人員照顧生還者
- 所有衝突各方停止並公開譴責利用強暴作為戰爭武器，同時根據實況設立足夠的機制確保平民得到保護
- 將Janjawid解除武裝及解散，使之不能再襲擊平民公眾
- 立即成立國際調查委員會，檢視戰爭罪行、反人道罪行以及其他違反人權法的證據，包括強暴及涉嫌的種族滅絕
- 必須令襲擊平民的侵犯者，包括對婦女使用暴力者得到法律制裁，接受合符國際標準及公平的審訊



AI delegates listen to testimonies in Gokar IDP camp
國際特赦組織代表團在聽取在難民營的證辭 ©AI

Rape as a weapon of war in Darfur

"Some 15 women and girls were raped in different huts in the village. The Janjawid broke the limbs of some women and girls to prevent them from escaping."

"Five to six men would rape us, one after the other, for hours during six days, every night. My husband could not forgive me after this, he disowned me."

Describing the systematic violence against women, AI's report, Rape as a weapon of war, concludes that the mass rapes in Darfur are war crimes and crimes against humanity and that little is being done to stop them.

The report, based on hundreds of testimonies, reveals how women and girls as young as eight are being raped, abducted and forced into sexual slavery by the Janjawid.

Despite promises by the Sudanese government to disarm the Janjawid there is still no protection for women and girls. Indeed, in almost all attacks recorded by AI, the Sudanese army was either directly involved in or witnessed the atrocities.

"The suffering and abuse endured by these women goes far beyond the actual rape. Rape has a devastating and ongoing impact on the health of women and girls and survivors now face a lifetime of stigma and marginalisation from their own families and communities," says the report.

The report concludes that "Women and girls are being attacked, not only to dehumanize the women themselves but also to humiliate, punish, control, inflict fear and displace women and to persecute the community to which they belong."

Amnesty International is calling for:

- Trained medical professionals to be sent immediately to care for survivors
- All parties to the conflict to stop and publicly condemn the use of rape as a weapon of war and to put adequate mechanisms in place to ensure the protection of civilians.
- The Janjawid militia to be disarmed and disbanded and placed in a position where they may no longer attack the civilian population.

- An international Commission of Inquiry to be established immediately to examine evidence of war crimes, crimes against humanity and other violations of international humanitarian law including rape, as well as allegations of genocide.
- The perpetrators of attacks on civilians, including sexual violence against women, to be brought to justice in trials that meet international standards of fairness.

Amnesty International's global campaign to Stop Violence Against Women is working to end human rights violations against women in Sudan. However, to strengthen the human rights situation now in Darfur, a comprehensive approach to the situation in the whole of Sudan is needed. Impunity for grave human rights violations, the lack of freedom of expression or association, harsh conditions of detention, unfair trials and an unreformed judiciary as well as the use of militias to kill and displace civilians, and arms proliferation – all are issues that need to be urgently addressed throughout Sudan.

To read the full report and see the video of Irene Khan in Darfur, visit: <http://web.amnesty.org/pages/sdn-index-eng>
To find out what you can do, visit: <http://web.amnesty.org/pages/sdn-toolkit-eng>

國際特赦組織全球的停止暴力對待婦女運動正致力為結束在達爾富爾對婦女的人權侵犯。然而，要強化達爾富爾現今的人權狀況，一個針對蘇丹的全面方法是有需要的，諸如：嚴重人權侵犯的逃責情況；缺乏表達及結社自由；嚴苛的拘留環境；不公平審訊及未有改革的司法制度；以至利用武裝份子殺害及驅逐平民。這一籃子的問題在蘇丹急待正視。

如欲閱讀整個報告及收看國際特赦組織秘書長在蘇丹的探訪，請瀏覽：<http://web.amnesty.org/pages/sdn-index-eng> 並於 <http://web.amnesty.org/pages/sdn-toolkit-eng> 參考你可做的東西（註：以上網頁為英文網頁）。



AIHK's action on Darfur

In light of the massive women's human rights abuses in Darfur, an e-mail petition was started in July and signatures for a letter to the Sudanese President were also collected from passers-by at the Tsim Sha Tsui Star Ferry pier on August 15. Your help is still needed in putting more pressure onto the Sudanese government to fulfill its obligations to protect the human rights of women. Please write to the President to express your concern and e-mail the letter to us at (ai_svaw@yahoo.com.hk) so that we can send the letter to the Sudan representative in Beijing.

香港分會行動

有鑑於達爾富爾婦女大規模受到人權侵犯，我們於七月開始了一個電子郵件請願行動。香港分會又於8月15日於尖沙咀天星碼頭收集致蘇丹政府請願信的簽名。我們仍然需要您的支持，向蘇丹政府施壓，促請它履行職責，保障婦女的人權。請書函蘇丹總統表達您的關注，你可以將信件電郵致我們特設之電郵地址：ai_svaw@yahoo.com.hk，我們會把信件交致蘇丹駐北京的代表。





TIMOR-LESTE: FIVE YEARS ON, INDONESIA STILL DENIES JUSTICE TO VICTIMS OF SEXUAL VIOLENCE 東帝汶：事隔五年印尼仍未為性暴力受害者伸張正義



Graffiti on a wall in Manatuto, Timor-Leste
東帝汶馬納圖托省一張牆上寫著要爭取公義 © AI

Five years ago, the population of Timor-Leste (East Timor) voted in a UN-organized ballot for independence from Indonesia. In the run-up to the ballot and immediately afterwards, the Indonesian security forces and Indonesia-backed militia groups opposed to independence embarked on a campaign of murder, destruction and intimidation. Around 1,400 people were killed, an unknown number tortured, and women were raped and subjected to other forms of sexual violence.

The violations were so wide-spread and systematic that they are considered to be crimes against humanity, and over 350 people have so far been indicted in a UN-backed justice process in Timor-Leste. Some 280 of them are believed to be at large in Indonesia. However, Indonesia has investigated just five cases and brought only 18 people to trial, and has failed to hold accountable a single member of the security forces for the human rights violations committed during this period.

Among the hundreds of cases not investigated in Indonesia is the rape of three women in Lolotoe Sub-district. In Timor-Leste, three men have been sentenced to terms of imprisonment in connection with this case. However, two remaining suspects, an Indonesian military officer and a militia member, are believed to be in Indonesia. Indonesia has refused to transfer them and around 280 others to Timor-Leste to stand trial.

Because of Indonesia's failure to ensure that members of its security forces are held accountable, Amnesty International is calling on the UN to establish an International Commission of Experts to ensure justice for the three women in Lolotoe Sub-district, and the hundreds of other victims of human rights violations in Timor-Leste in 1999.

五年前，東帝汶人民在一次聯合國統籌的全民投票中選擇了從印尼獨立。投票前後，反對東帝汶獨立的印尼保安部隊及印尼支持的民兵組織均進行了大規模的謀殺、破壞和恐嚇；引致 1400 人死亡、無數人士遭受虐待。其中多名婦女更慘遭強姦或其他形式的性暴力。

印尼保安部隊和民兵廣泛及有組織的惡行已被界定為違反人道之罪行。在東帝汶，五年來已有多於 350 人在聯合國支持的司法程序下被檢控。在此 350 人當中，相信大約有 280 人仍在印尼潛逃。至現時為止，印尼當局僅對五個案件作出調查及審訊了 18 人。當局更未有把任何違反人權的保安部隊人員偵拿歸案。

在多項尚未調查的案件中，其中有一項關乎在 Lolotoe 區發生涉及三名女子被強姦的案件。涉案的三名男子已先後在東帝汶判以有期徒刑。其餘兩名涉案的印尼軍官及民兵相信仍在印尼潛逃。印尼當局並已拒絕把兩人及其餘 280 名疑犯引渡往東帝汶受審。

由於印尼未有偵拿涉案的保安部隊人員歸案，國際特赦組織已請求聯合國成立一國際專家委員會確保在 Lolotoe 受害的三名女子伸張正義及確保在 1999 年於東帝汶侵犯人權的人員受到法律制裁。

Take action!

Please send appeals immediately to the governments of the US and the UK, asking them to act in their capacity as permanent members of the UN Security Council.

請立即行動！

請把請願信寄予英美兩國政府，要求兩國以聯合國安全理事會常任理事國的身份作出行動。

(English sample letter)

Dear,

I am writing to express my concern about the failure to bring to justice the perpetrators of crimes against humanity and other serious crimes in Timor-Leste in 1999.

Trials in Indonesia have been so limited and flawed that neither truth nor justice has emerged.

Two suspects indicted for crimes against humanity including imprisonment or other severe deprivation of physical liberty and rape in Lolotoe Sub-district, Timor-Leste, are believed to be among around 280 persons indicted for crimes against humanity in Timor-Leste who are at large in Indonesia.

Given the failure of Indonesia to bring the perpetrators to justice and the limitations of the process in Timor-Leste, including Indonesia's failure to cooperate with it, I urge you to support the establishment of an International Commission of Experts to review the processes so far and to make recommendations for an effective judicial process to bring to justice the perpetrators of crimes against humanity and other serious crimes.

The victims of sexual violence, torture, and murder have been denied justice for five years. Please help them to find it.

Yours sincerely,
(Name and signature)

<中文信樣本>

外交大臣(英)/ 國務卿(美) 閣下：

本人非常關注 1999 年在東帝汶犯下人道及其他罪行的人員未被法律制裁的情況。在印尼進行的審訊數目相當有限，且程序錯漏百出，令真理及公義未能伸張。在近 280 名相信仍在印尼潛逃的疑犯當中，更有二人在東帝汶 Lolotoe 區犯下非法監禁、剝奪人身自由和強姦等嚴重罪行。

現時印尼未能有效檢控涉案人士；而東帝汶的法律程序尚有不足之處，又未得到印尼當局的充份合作。有見及此，本人呼籲 貴國支持聯合國成立國際專家委員會以檢視現有的法律程序及提供建議，以確保犯下人道和其他嚴重罪行的人士受到法律之制裁。請閣下支持體恤東帝汶的受害者，確保正義得以伸張。

(申訴人姓名及簽名)

Please send appeals to 請將請願信寄：

Colin L. Powell
Secretary of State
U.S. Department of State
2201 C St. NW
Washington, DC 20520
United States

The Honorable (Ret) Jack Straw
Secretary of State for Foreign and
Commonwealth Affairs
King Charles Street
London SW1A 2AH
United Kingdom

Fax: (+1) 202 261 8577



The Control Arms Campaign

Amnesty International, Oxfam and the International Action Network on Small Arms (IANSA) have launched a campaign calling for a global Arms Trade Treaty, and for local action to protect civilians from armed violence.

According to the campaign report, the arms trade is dangerously unregulated, allowing weapons to reach repressive governments and criminals. Arms proliferation fuels human rights violations, poverty and conflict. Every minute, someone is killed by armed violence, and many more people suffer serious injury.

National arms export controls are riddled with loopholes. The availability of arms triggers conflicts and prolongs wars once they break out. Conflict and armed crime prevent aid from reaching those who need it, and often leads to the denial of health care and education.

The 11 September 2001 attacks and the resulting "war on terror" have fuelled weapons proliferation and arms exports, particularly by the United States and Britain, to new-found allies such as Pakistan and Indonesia, regardless of human rights or development concerns.

"Each year, hundreds of thousands of people are unlawfully killed, tortured, raped and displaced through the misuse of arms," said Irene Khan, Secretary General of Amnesty International.

"With the 'war on terror' dominating the international agenda, there should be renewed interest in arms control. Yet the reverse has occurred. The vicious circle of arms transfers, conflict and abuse can and must be stopped."

In addition to an Arms Trade Treaty, the campaign is calling for:

- Governments to develop and strengthen regional arms control.
- Governments to rigorously control national arms exports and dealers, and do more to prevent law enforcers misusing their weapons, and to protect citizens from armed violence.
- Local authorities and community leaders to help improve safety at a community level by developing projects to reduce the local availability and demand for arms.

The Human Cost

- There are 300,000 child soldiers involved in conflicts.
- Women and girls are raped at gunpoint during armed conflict – for example, 15,700 in Rwanda and 25,000 in Croatia and Bosnia.

- Nearly half (42 per cent) of countries with the highest defence burden rank among the lowest in human development. For example, Eritrea spends more than 20 per cent of its GDP on defence.
- In Africa, economic losses due to war are about \$15 billion per year.

For more information visit: www.controlarms.org

軍火監控 運動

國際特赦組織、樂施會及小型武器國際行動網絡(IANSA)展開了一個運動，呼籲制定一個全球軍火貿易條約；及在本土採取行動，保護平民免受武裝暴力的侵犯。

運動報告指出，軍火貿易不受規管到一個危險的地步，武器已可落入壓制的政府及罪犯手中。軍火的擴散加劇了人權侵犯、貧窮及衝突的出現。每分鐘都有人因武裝暴力被殺；更多人嚴重受傷。

國家的軍火出口監控存在很多漏洞。易於到手的軍火可引發衝突；延長已展開的戰事。而武裝衝突及罪行足以妨礙對有需要的人的援助，更經常導致接受護理及教育的權利被剝奪。

2001年的九一一襲擊及隨之而來的「反恐戰爭」實已加劇了武器擴散及軍火出口，尤其是由英美輸出至其新盟友如巴基斯坦及印尼，但當地的人權及發展狀況並未被考慮。

國際特赦組織秘書長 Irene Khan 說：「每年都有千千萬萬的人因軍火的濫用被非法殺掉、遭受酷刑、強姦及流徙。當國際的焦點仍放於「反恐戰爭」時，軍火監控應被重新關注。然而，這議題仍未獲關注，軍火轉移、衝突及濫用的惡性循環必須停止。」



Sixteen-year-old Camila Magalhaes Lima lost the use of her legs in 1998 when she was hit by a stray bullet in a shoot-out between thieves and private security forces while walking home from school

16歲的Lima 1998年雙腳殘廢了，原因是她放學返家途中被賊人與私人警衛槍戰之流彈所傷。

除呼籲制定軍火貿易條約外，這運動同時促請：

- 各國政府加強區域的軍火監控
- 各國政府嚴厲監管軍火出口商及販賣者；防止執法者濫用他們的武器及保護市民免受武裝暴力的侵犯。
- 各地方機關及社區領袖協助改善社區層面的安全，以不同的計劃減低對軍火的需求及供應。

人道代價

- 不同的衝突牽涉到三十萬的童兵
- 婦女及女孩在軍事衝突中在槍咀下被姦。例子：在盧旺達，有15,700個個案；克羅地亞，有25,000個個案。
- 擁有最高軍備中近半(42%)的國家在human development上處最低的位置，例如非洲的厄立特里亞，國民生產值之20%用於防衛上。
- 在非洲，因戰爭造成的經濟損失達每年150億美元。

欲得到進一步資料，可瀏覽：www.controlarms.org (英文網頁)。



Join the "Million Faces"

There are around 639 million small arms and light weapons in the world today. Eight million more are produced every year. Without strict control, such weapons will continue to fuel violent conflict, state repression, crime, and domestic abuse.

The "Million Faces" petition is a new way of campaigning. We are collecting photos and self-portraits of people all around the world to demonstrate to governments that we need effective and urgent action to control the arms trade crisis.

Our aim is to collect one million faces by 2006 as a powerful visual message of support for the Control Arms campaign. We will then use this mass movement of people to persuade the world's governments to sign up to a global Arms Trade Treaty. With your help, it will be the world's biggest popular movement against the misuse of arms.

Join it online at http://www.controlarms.org/million_faces/



參加『一百萬張臉』

今天，全球有六億三千九百萬件小型軍火，且每年有八百萬件的增長。因此，沒有嚴緊的監控，這些軍火只會加劇暴力衝突、國家的鎮壓、罪案及私人濫用。

『一百萬張臉』是一個新鮮的請願行動方法。我們正在收集世界各地不同人士的相片及肖像，向各國政府表示我們需要有效及迫切的行動，控制軍火貿易出現的危機。運動的目標是於 2006 年收集到一百萬個面孔，而這將成爲一個有力的視覺訊息，以支援軍火監控運動。我們會藉這集體行動說服各國政府簽署全球軍火貿易條約。透過您的幫忙，這將會是全球最大反對誤用軍火的普及運動。

您可透過以下網址在網上參加這行動：http://www.controlarms.org/million_faces/



Human Rights ABC

人權甲乙丙

The Universal Declaration of Human Rights is the *must-know* document for when you talk about human rights. Here are 5 questions to test your basic knowledge of the declaration. Are you ready?

1. When was the Universal Declaration of Human Rights passed and adopted?
2. Which UN body passed and adopted the declaration?
3. How many members were there on the drafting committee for the declaration?
4. Where were these committee members from?
5. How many articles does the declaration have?

《世界人權宣言》是你和我都要認識的人權文件。這裡有 5 題問題考考你對《宣言》的認識：

1. 《世界人權宣言》是何時通過並採納的？
2. 你知道是哪個聯合國機構通過並採納《世界人權宣言》呢？
3. 《世界人權宣言》的草擬委員會一共有多少名成員呢？
4. 那些草擬委員會的成員來自哪些國家呢？
5. 《世界人權宣言》有多少條條文？



DP GROUP 死刑關注組

The Death Penalty Group held an event on 10 October 2004 to commemorate World Day Against the Death Penalty. The day is aimed at forging solidarity between the many groups working towards abolition and is a focus for awareness raising and campaigning around the world. AIHK leafleted and collected signatures for two petitions in Central as part of the event.

Five countries are known to have executed juvenile offenders this century, although only the USA openly admits to and claims the right to execute offenders under eighteen at the time of the offence.

The first petition calls on the governments of the five countries – the USA, China, Pakistan, Iran and the Democratic Republic of the Congo – to stop these executions.

Although in 1997 China amended its criminal law to abolish the death penalty for defendants who were under eighteen at the time of the offence, there have since been cases of juveniles facing the death penalty. The second petition therefore calls on the Chinese authorities to respect the law and make every effort to ascertain the age of offenders where there is doubt.

The petitions are ongoing and can still be signed. If you are interested in signing them or joining this vibrant and active group of AIHK members then please contact Liz at lizwhite@netvigator.com or Dominique at melody_chaussant@yahoo.com.hk

組別於2004年10月10日舉辦了活動，紀念世界反對死刑日。這個紀念日的目的是增強團體間對推進廢除死刑的凝聚力，並成為全球提升意識運動的聚焦點。香港分會則在中環就兩個請願書收集簽名，並派發單張。

全球有五個國家正處決少年犯是為人所知的，當中只有美國公開承認及表示有權處決於18歲以下犯事的少年犯。

第一個請願書是呼籲五個國家的政府停止處決少年犯，它們包括美國、中國、巴基斯坦、伊朗及剛果民主共和國。

儘管中國於1997年修改了刑法，廢除了對在犯事時未滿18歲的人事判處死刑，至今仍有此類少年犯需面對死刑。因此，我們的第二個請願書就是呼籲中國當局尊重法律及當對犯人的年齡有懷疑時，須盡力查明。

請願信行動仍然繼續，如您有興趣簽署或希望參與這個活躍的會員組別，請聯絡 Liz (電子郵件：lizwhite@netvigator.com) 或 Dominique (電子郵件：melody_chaussant@yahoo.com.hk)。

HRE EXPRESS 人權教育快訊



The winning photographs of this year's Human Rights Press Awards
今屆人權新聞獎的獲獎新聞攝影作品

Schools:

We received 17 invitations for talks and 6 workshops before the new academic year started. For these talks and workshops, the coverage of human rights issues includes Basic Human Rights, Discrimination, the Death Penalty and Women's Rights.

Since the Children's Edition Urgent Actions (CEUA) were launched last year, 43 secondary schools have registered with the service. The CEUA is a good way for English teachers to teach their students to write appeal letters. Currently, CEUA cases are sent quarterly.

Human Rights Day:

It is almost time to prepare for Human Rights Day, which is on 10 December. As well as the usual carnival-style celebrations, the Preparatory Committee, which is AIHK's current convening organisation, has decided to host a competition for students which incorporates human rights issues into their project learning. The theme this year is arbitrary detention.

Exhibition:

The winning photographs of this year's Human Rights Press Awards will be exhibited outside the communal area of the Rayson Huang Theatre, the University of Hong Kong, from 25 to 30 October 2004.

學校:

我們已收到分別17及6次的邀請為中學同學舉辦講座及工作坊，內容包括：基本人權概念、歧視、死刑和婦女權利。

自去年推出「兒童版緊急行動」以來，至今已有43間中學登記使用此服務。「兒童版緊急行動」的內容比成人版淺白，人權受侵犯的案主亦為兒童，十分合適用來作寫作的練習。目前，「兒童版緊急行動」是每季寄出一次。

人權日:

又是時候安排今年「人權日」(12月10日)的慶祝活動了。除了一如以往嘉年華會的慶祝形式外，國際特赦組織香港分會作為今屆的籌委會召集人，決定舉辦「中學生人權關注比賽〔專題研習〕」，結合人權議題及學生專題研習。「任意拘禁」為重點關注議題。

展覽:

剛完成的第九屆人權新聞獎的獲獎新聞攝影作品會於10月25日至30日在香港大學黃麗松講堂外展出。



Talk by Irene Fernandez 與艾蓮·費南迪斯對話



The Malaysia Group invited Malaysian human rights defender Irene Fernandez to give a talk about human rights and freedom of expression in Malaysia on 4 September 2004. Irene was convicted of "maliciously spreading false news" under Malaysia's restrictive Printing Press and Publications Law for exposing human rights violations occurring in detention camps for undocumented migrants in Malaysia and sentenced to one year's imprisonment in October 2003. She is currently on bail and waiting for an appeal date. Irene gave an inspiring speech in which she linked the human rights violations suffered by undocumented migrant workers to the larger issues of corruption, globalisation and the lack of freedom of expression in Malaysia.

The Malaysia Group campaigns against repressive laws, such as the Internal Security Act (ISA), which allows detention for long periods without charge or trial and the Printing Press and Publications Act (PPPA), which effectively stifles freedom of expression in Malaysia. We campaign on behalf of individuals who suffer human rights violations as a result of these laws. We also campaign against police brutality and for the basic human rights of undocumented migrants and asylum seekers in Malaysia to be respected.

香港分會於2004年9月4日邀請到馬來西亞人權份子艾蓮·費南迪斯跟我們分享馬來西亞的人權狀況及表達自由。艾蓮因揭露馬來西亞的非法勞工在拘留所中的侵犯人權事件，被馬來西亞政府根據《印刷及出版法例》，以「惡意發放虛假消息」罪名定罪，於2003年10月被判處12個月監禁。她現獲准保釋外出，等候上訴日期。艾蓮的分享發人深省，她將非法勞工的侵犯人權事件跟整體的貪污問題、全球化及馬來西亞缺乏表達自由連繫在一起。

馬來西亞組會就壓制性的法律發起行動，當中包括容許不經審訊而長期拘留的內安法令〈ISA〉；有效壓制馬來西亞表達自由的印刷及出版法令〈PPPA〉。組別會為因這些法律而遭受到人權侵犯的個別人士抗爭，我們亦會為警察使用暴力；非法移民的基本人權，以及尋求庇護者能得到尊重而發起行動。

Call for nominations 提名呼籲

The AIHK Nominating Committee is now seeking nominations for Executive Committee (Exco) members for 2005. AIHK needs committed, energetic and knowledgeable members to join the organization's leadership. AIHK is undergoing major changes and growth and we need leaders with diverse skill sets to help guide the organization into the future.

Exco members will be elected from nominations at the AIHK Annual General Meeting scheduled for 13 December 2004. If you are interested in joining this dynamic leadership group please submit:

- your current CV/Resume; and
- a covering letter signed by you and at least one other current AIHK member stating:
 - ❖ why you wish to join AIHK's Executive Committee; and
 - ❖ your experience in human rights work and in governing not-for-profit organizations.

Submissions should be sent to the AIHK office no later than 12 November 2004.

國際特赦組織香港分會提名委員會現正徵求2005年度執行委員之提名。香港分會需要投入、有活力及有知識的會員加入組織的領導層。香港分會正處重大的轉變及成長時期，我們需要有多方面才能的領袖指引組織的未來路向。

被提名之會員將於12月13日舉行之週年大會中進行執行委員選舉。

如果您有興趣加入這個多麼有動力的領導小組，請於11月12日前把新近之履歷連同一封解釋為何希望加入香港分會執行委員會，及閣下於人權工作及非牟利組織經驗之信件交香港分會。此提名信須由閣下及最少一名有效之香港分會會員簽署。

Lawyers' Group 律師組

The AIHK Lawyers' Group provides legal practitioners interested in international human rights with an opportunity to come together. Members' interests span a broad range of human rights issues. Most recently the group has participated in a worldwide campaign to pressure the US government to abolish the death penalty for children. In the coming months, the group will be analyzing the anti-race discrimination legislation proposed by the HKSAR government. Group members assist other arms of AIHK when a lawyer's perspective is needed. The group continues to grow, and interested individuals are encouraged to learn more by contacting Melissa K Neher at admin-hk@amnesty.org.

國際特赦組織律師組給予有興趣國際人權事務的法律從業員聚首的機會，會員興趣範圍包括廣泛的人權事件。組別最近參與了一個全球性的運動，向美國政府施壓，要求廢除向兒童判處死刑。在未來數月，我們會分析特區政府發表的反對種族歧視立法建議書。另一方面，當分會其他單位有需要一個律師的角度時候，律師組員便會支援，組別仍在成長中，歡迎聯絡 Melissa K Neher (admin-hk@amnesty.org) 查詢詳情。

Transparence 透明

AIHK is committed to making itself as transparent as possible. Therefore, members are welcome to view the minutes of the monthly Executive Committee meetings on request.

國際特赦組織香港分會決意令自己的透明度提升，因此，我們歡迎會員翻閱執行委員會每月會議之紀錄。如有需要，請向辦事處提出。

Get Involved 參與

Even if you are not interested in joining Exco, please remember that we always need volunteers and that involvement in organizing campaigns and activities can be meaningful as well.

即使您沒有興趣加入執行委員會，但請緊記，分會經常需要義務人員的協助，因此，參與籌辦行動及活動是同樣有意義的。

Law quashes the right of Israeli Arab citizens to family life



法律剝奪阿裔以色列公民的家庭生活權利

A woman and her daughter join a demonstration in July against the Citizenship and Entry into Israel Law
一婦及其女孩參加七月一個示威，抗議公民與入境以色列法 © AP

Families face being torn apart by the Citizenship and Entry into Israel Law, which discriminates on the basis of ethnicity and nationality

Thousands of Israeli Arab citizens continue to be denied the right to live as a family by a controversial law which was extended in July. The Citizenship and Entry into Israel Law bars Israelis married to Palestinians from the Occupied Territories from living together in Israel. They have no alternative but to live with their spouses "illegally" or have their families torn apart. For most, leaving the country altogether is simply not an option.

"At the Interior Ministry they told me to either get divorced or to go live in the West Bank," said Salwa Abu Jaber, 29, from northern Israel. Speaking to AI, she explained how her husband, Mahmoud al-Hader of Jenin, was repeatedly refused "family unification" - the authorization required of all Palestinians wishing to join their families in Israel. Faced with little choice, Mahmoud al-Hader has been forced to live illegally in Israel with his wife and their children. As a result, says Abu Jaber, "my husband is like a prisoner here; he cannot go anywhere for fear of being arrested and expelled again".

許多家庭因為「公民與入境以色列法」而面臨痛苦分離，這是基於族裔及國籍的歧視。

數千阿裔以色列公民，遭七月時延續的一項具爭議性的法律拒絕他們與家人同住的權利。「公民與入境以色列法」禁止以色列人與巴勒斯坦人結婚後於以色列居住。他們沒有選擇，只得跟配偶「非法」地同住，或者與家人分開。對多數人來說，一起離開國家是不得以的選擇。

「在內政部那裡，他們告訴我，要不就離婚，要不就住到約旦河西岸」，現年 29 歲來自以色列北部的 Salwa Abu Jaber 說。她向國際特赦組織解釋她在杰寧的丈夫 Mahmoud al-Hader 如何重複被拒絕「家庭團聚」，這同樣是所有祈盼與家人在以色列團聚的巴勒斯坦人的要求。在不得已之下，Mahmoud al-Hader 被迫非法地與妻兒在以色列居住。因此，Abu Jaber 說：「我的丈夫在這裡好像一名囚犯，他害怕再度被捕及驅逐出境，那裡也不敢去。」



The law has been condemned at the international level as a form of institutionalized racism because it discriminates against a group of people on the basis of their ethnicity and nationality. Given that it is mostly Israeli Arabs who marry Palestinians from the Occupied Territories, the law has a disproportionate impact on them.

First introduced in July 2003, the law is just one among many existing regulations and practices which discriminate against Palestinians in Israel and the Occupied Territories. These include the Entry into Israel Law and the Law of Return which automatically give Jews from anywhere in the world the right to become Israeli citizens and live in Israel or the Occupied Territories. At the same time, they deny the right to return to Palestinian refugees who were displaced or expelled during the creation of Israel in 1948 and subsequent conflicts. The Citizenship and Entry into Israel Law represents a further step in consolidating Israel's policy of limiting the number of Palestinians who are permitted to live in the country.

The Israeli government has claimed that it is acting in the interests of national security, arguing that fewer Palestinians in the country would lessen the threat of violence and attacks carried out by them. However, these claims collapse in the face of comments made by Israeli ministers and officials describing the Palestinians - who account for 20 per cent of the population in Israel - as a "demographic threat". When the law was proposed it was the demographic argument that was emphasized, not security considerations.

In early July, AI reiterated its call for a repeal of the law, recommending that applications for family unification be processed according to non-discriminatory principles. AI has condemned the law not only for its discriminatory nature, but for its denial of the fundamental right to family life. Under international human rights law, Israel has a duty to protect the rights of the family, but in practice this obligation has not been extended to its Palestinian citizens.

For further information see AI Report: Israel and the Occupied Territories Torn Apart: Families split by discriminatory policies (MDE 15/063/2004).

在國際層次上，這種法律已被譴責為一種制度性的種族歧視，因為它是基於一群體的族裔及國籍的。再者，與佔領區的巴勒斯坦人結婚的多是阿裔以色列人，此法便對他們有不成比例的衝擊。

這法律在 2003 年 7 月首推時，只是其中一項現存歧視在以色列及佔領區巴勒斯坦人的規例及習慣之一。它們包括「以色列入境及遣返法」，此法自動給予來自世界各地的猶太人有權成為以色列公民，並可住在以色列及佔領區。與此同時，它們拒絕那些在 1948 年以色列建國及其後多次衝突中，遭遷移或驅逐的巴勒斯坦人返回的權利。「公民及入境以色列法」代表著以色列進一步鞏固限制准許定居以色列巴勒斯坦人的人數政策。

以色列政府聲稱，這樣做是為了國家安全的利益，辯稱如果有較少的巴勒斯坦人住在國內，由他們發起的暴力及攻擊威脅將可降低。然而這樣的斷言卻在以色列的部長及官員評論巴勒斯坦人佔以色列人口 20% 是「人口威脅」的時候崩潰。此法提出時，所強調的是人口上的爭論，而非保安考慮。

在七月初，國際特赦組織重申撤銷此法的呼籲，並建議家庭團聚的申請應根據不加歧視的原則處理。國際特赦組織不但譴責這項法律的歧視本質，還有它否定了家庭生活這基本權利。在國際人權法下，以色列有責任保障家庭權利，但實際上，這項保障並未引伸到巴勒斯坦公民。

想得到進一步的資料，請參考國際特赦組織英文報告：MDE 15/063/2004。

Good News

好消息！

'I have taken my first sweet breaths of freedom'

'For the first time in over a decade, I have taken my first sweet breaths of freedom and democracy... From the bottom of my heart I thank [you]...' Following his recent arrival in Sweden from Viet Nam after years of persecution, Thich Tri Luc, a Vietnamese Buddhist dissident, has thanked all those who worked on his behalf, including AI.

Thich Tri Luc, 50, a member of the non-state sanctioned Unified Buddhist Church, was arrested and imprisoned on several occasions before he fled to Cambodia in 2002 and was granted refugee status by the UN High Commissioner for Refugees.

In July 2002, Thich Tri Luc was walking near Russey Market in Pnomh Penh, Cambodia, when he was accosted, beaten and thrown into a waiting vehicle. The next day he was taken across the border to Viet Nam, the country he had fled earlier that year. For more than a year he remained "disappeared" - his family did not know where he was or if he was still alive. Fears that he had been detained by Vietnamese security police were confirmed when the authorities suddenly told the family that he was in prison awaiting trial.

Thich Tri Luc was charged with "fleeing abroad or defecting to stay overseas with a view to opposing the people's administration" and sentenced to 20 months' imprisonment. He was finally released in March 2004.

「我第一次呼吸到自由的甜美空氣」

「十年來第一次呼吸到自由民主的甜美空氣，...我衷心地感謝你們...」一名越南佛教異見人士 Thich Tri Luc，在多年受到迫害而從越南抵達瑞典時，感謝包括國際特赦組織在內曾為他發起行動的所有人。

Thich Tri Luc 是非官方許可聯合佛教會的成員，在逃到柬埔寨前曾多次被逮捕與監禁，於 2002 年在柬埔寨獲聯合國難民事務高級專員給予難民身份。

2002 年 7 月，Thich Tri Luc 在柬埔寨金邊的 Russey 市場附近走路時，他被陌生人毆打及掉進一輛等候的汽車，第二天，他被帶返越南，一個他於年初途離的國家。有超過一年的時間他是「失蹤」的，家人不知道他下落，也不知是生是死。他被保安部隊警察拘留的擔心，在當局突然告訴他家人，他在監獄等候審訊時獲證實。

Thich Tri Luc 被控以「反對行政機關而逃至海外」罪名，判監 20 個月。最後他於 2004 年 3 月獲釋。



Thich Tri Luc (right) leads a funeral procession
Thich Tri Luc (右) 帶領第一次葬禮的進行 ©IBIB

World: Child executions on the way out

The US Supreme Court has the opportunity to consign the execution of child offenders to history and bring the USA into line with the vast majority of countries that have already done so, said Amnesty International as it published a new report on the issue in September.

The US Supreme Court will hear oral arguments on 13 October. Its decision on the constitutionality of the death penalty against 16 and 17-year-old offenders is expected in the first half of 2005.

"Such executions violate international law. The international consensus against putting people to death for crimes committed when they were children reflects the widespread recognition of the capacity of young people for growth and change," said Amnesty International.

"The life of a child should never be written off, whatever he or she has done. The guiding principle must be to maximize the child offender's potential for eventual successful reintegration into society. Execution is the ultimate denial of this principle."

Since 2003, six people were executed in China, Iran and the USA, for crimes committed when they were children. Other convicted child offenders remain under sentence of death in Pakistan, the Philippines and Sudan.

"The life of a child should never be written off, whatever he or she has done. The guiding principle must be to maximize the child offender's potential for eventual successful reintegration into society. Execution is the ultimate denial of this principle," said Amnesty International.

Scott Allen Hain was executed in the USA on 3 April 2003 for a crime committed when he was only 17. Since then several executions of child offenders have been stayed pending the outcome of the Supreme Court deliberations.

The USA is the only country which openly acknowledges executing child offenders and claims for itself the right to do so under international law.

In China, although by law no one should be executed for a crime committed when they were under 18, children have continued to be executed because the courts apparently do not take sufficient care to determine their age.

Gao Pan, was executed on 8 March 2004 for a crime committed on 9 August 2001, possibly before he was 18 years old. Conflicting information on official documents and the use of different calendar systems had led to confusion over his true age.

In an attempt to prove that Gao was 18 years old at the time of the crime, the state prosecutor provided a household registration document signed by Gao's grandfather, which on further examination was reportedly proven false.

Hebei Province High People's Court rejected 32 items of evidence provided by Gao's lawyer supporting the claim that he was not yet 18 years old at the time of the crime. The court also rejected a request made by Gao's family to carry out a medical check which might have helped to clarify his age.

In Iran 16-year-old Ateqeh Rajabi, was publicly hanged on 15 August 2004 on a street in the city centre of Neka, northern Iranian province of Mazandaran for "acts incompatible with chastity".

Ateqeh Rajabi was sentenced to death three months earlier. During her trial she was not allowed legal representation and the judge severely criticized her dress, harshly reprimanding her. It is alleged that Ateqeh Rajabi was mentally ill both at the time of her crime and during her trial proceedings.

Although Ateqeh Rajabi's national identity card stated that she was 16 years old, the Mazandaran Judiciary announced at her execution that her age was 22.

For a copy of the report: "Stop Child Executions! Ending the death penalty for child offenders", please see: <http://web.amnesty.org/library/index/ENGACT500152004>

全球：處決兒童的做法已被唾棄

國際特赦組織九月發表關於處決兒童的報告時表示，美國最高法院將有機會使處決兒童囚犯的做法變為歷史陳跡，使美國追上絕大多數國家的行列。

美國最高法院將於 10 月 13 日聽取口頭答辯，並可望於 2005 年上半年就處決 16 歲及 17 歲兒童囚犯是否符合憲法作出裁決。

國際特赦組織表示：「這些處決違反國際法。國際社會的共識是反對向犯罪時仍然是兒童的人士處以死刑，這反映出國際社會普遍認同年輕人具有成長及改變的空間。」

「無論他或她做了甚麼，任何一個孩子的生命都是不容毀掉的。指引原則是必須盡最大可能加強兒童囚犯最終成功融入社會的潛力。處決是對這項原則的終極否定。」

自 2003 年以來，中國、伊朗及美國共有 6 人被處決，這些人犯案時都是未成年的。此外，在巴基斯坦、菲律賓及蘇丹尚有其他被判死刑的兒童罪犯仍在服刑中。

國際特赦組織表示：「無論他或她做了甚麼，任何一個孩子的生命都是不容毀掉的。指引原則是必須盡最大可能加強兒童囚犯最終成功融入社會的潛力。處決是對這項原則的終極否定。」

2003 年 4 月 3 日，Scott Allen Hain 被處決，他犯罪時只有 17 歲。此後，當局已暫緩處決其他兒童囚犯，以等候最高法院的審議結果。

美國是唯一公開承認處決兒童的國家，並且聲稱在國際法之下有權這樣做。

儘管中國的法律訂明，任何人均不會因 18 歲前犯下的罪行而受處決。但死刑依然在兒童身上執行，顯然法院沒有詳細考證他們的年齡。

2004 年 3 月 8 日，高盼（譯音）因為 2001 年 8 月 9 日犯下的罪行被處決。他當時可能仍未滿 18 歲。由於官方的文件出現矛盾的說法，而且也使用了不同曆法的年曆，因此無法證實他的真實年齡。

為了意圖證明高盼犯罪時已屆 18 歲，檢察官提供了由高盼的祖父簽署的戶籍證明文件。但該文件其後證實是假的。

河北省高級人民法院不接納高盼的律師提供關於他犯罪時不足 18 歲的 32 項證據，並且否決了他的家人申請，要求讓他接受身體檢查以澄清他的年齡。

2004 年 8 月 15 日，Ateqeh Rajabi 在伊朗北部馬贊德蘭省 Neka 市中心的街上被公開吊斃處決，理由是她干犯「不合貞節的行為」，Ateqeh Rajabi 於處決前 3 個月被判刑。在審訊期間，她被拒獲得律師代表的權利，法官並且嚴詞批評她的衣著，又嚴厲譴責她。據稱，Ateqeh Rajabi 在犯罪及審訊期間患有精神病。

儘管 Ateqeh Rajabi 的國家身份證明她只有 16 歲，但馬贊德蘭省的司法機關卻在處決時宣佈她已經 22 歲。

如欲索取《Stop Child Executions! Ending the death penalty for child offenders》報告，請瀏覽：<http://web.amnesty.org/library/index/ENGACT500152004>



THAILAND: More 'disappearances' reported in the south
泰國：南部據報有更多「失蹤」事件



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流動電話店東Mustasidin Maming (左圖)與店員Wae-esor Masaeng, 自2月11日以來便下落不明。目擊者指, 他們是在下午4時10分於Narathiwat的Rangae市場裡, Mustasidin的店子附近被綁架的。帶走他們的一群男性懷疑與安全部隊有關, 他們開著一輛沒有車牌的紅色貨車。

Mustasidin Maming, (above) a mobile phone shop owner, and his assistant Wae-esor Masaeng, have not been seen since 11 February. Eyewitnesses report that they were abducted at 4.10pm near Mustasidin's shop in the market in Rangae, Narathiwat. They were taken away by a group of men suspected to be linked to security forces, who were driving a red pick-up truck without licence plates.

Narathiwat is one of Thailand's southernmost provinces, where authorities have declared martial law in some districts after violent unrest escalated at the beginning of the year. It is not known why Mustasidin Maming and Wae-esor Masaeng "disappeared".

At least 10 people are suspected to have "disappeared" in 2003 and 2004 in the south of Thailand. Fears for the safety of those who are believed to have "disappeared" in the custody of the police or army have been heightened by reports of torture and ill-treatment by army and police of detainees suspected of involvement in violent unrest.

Please write, expressing concern that Mustasidin Maming and Wae-esor Masaeng are suspected to have "disappeared" after being abducted by members of security forces and urging that their whereabouts be made known and their well-being assured. Call on the authorities to independently investigate reports of all other "disappearances" in the south of Thailand; to clarify the whereabouts of those "disappeared"; and to suspend from active duty any member of the security forces suspected of involvement in "disappearances" pending the result of the investigation, and to bring any suspected perpetrators to justice.

Narathiwat 是泰國最南的省份之一, 年初暴力騷動升級後, 當局在部份地區實施軍法統治。但Mustasidin Maming及Wae-esor Masaeng「失蹤」的原因則未明。

至少10人被懷疑於2003年及2004年在泰國南部「失蹤」。由於有報導指軍警虐打涉嫌參與暴力騷動的拘留者, 相信在軍警監管下「失蹤」的人士的安全更受擔憂。

請寫申訴信表達對Mustasidin Maming及Wae-esor Masaeng在被安全部隊綁架後, 懷疑是「失蹤」的關切, 並敦促將他們的下落公布, 保證他們安好。呼籲當局對於泰國南部的「失蹤」事件進行獨立的調查, 澄清「失蹤」的下落; 並在有調查結果之前, 將涉嫌「失蹤」案件的現役安全部隊成員停職; 將所有加害者繩之以法。

信件請寄 Send appeals to:

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Office of the Prime Minister
Government House
Pitsanulok Road
Dusit
Bangkok 10300
Thailand
Fax: +66 2 282 8631
E-mail: Thaksin@thaigov.go.th

Indonesia: Amnesty International condemns Jakarta bomb attack
印尼：國際特赦組織譴責雅加達之炸彈襲擊

Amnesty International strongly condemns the 9th September's bomb attack outside the Australian Embassy in Jakarta, Indonesia.

Attacks on civilians can never be justified and are prohibited by international law. Amnesty International calls for the perpetrators to be brought promptly to justice in proceedings that meet international standards.

The organization extends its deepest sympathy to the victims — many of whom are Indonesian — and to their families and friends.

國際特赦組織強烈譴責9月9日印尼雅加達澳洲大使館外的炸彈襲擊。

針對平民的襲擊永遠都不能說得通, 且是國際法所禁止的。國際特赦組織呼籲把行兇者繩之於法, 而當中涉及之程序須合乎國際標準。

組織對受害者, 當中包括很多印尼人及其親友表示深切慰問。

Laos: Military atrocities against Hmong children are war crimes
寮國：軍隊對苗族兒童的暴行是戰爭罪行

Amnesty International is horrified by recent reports, including video evidence and witness testimony, of an attack by Lao soldiers against a group of five children, four of them girls, in the Xaisomboune military zone on 19 May 2004.

The children, aged between 13 and 16 years old and part of an ethnic Hmong rebel group, were brutally mutilated — the girls apparently raped before being killed — by a group of approximately 30-40 soldiers. The victims — four girls, Mao Lee, 14; her sister Chao Lee, 16; Chi Her, 14; Pang Lor, 14; and Tou Lor, Pang Lor's 15 year old brother — were killed whilst foraging for food close to their camp. They were unarmed.

The attacks violate the most fundamental principles of international human rights and humanitarian law. These rapes and killings constitute war crimes. The Lao authorities must bring to justice those responsible for this atrocity and cease attacks on unarmed civilians.

國際特赦組織對近期有報告指寮國士兵於2004年5月19日在Xaisomboune軍事區對五位兒童, 當中包括四位女孩施襲, 感到毛骨悚然。這些報告包括錄影帶及證人的證辭。

遇襲兒童的年齡由13至16歲, 是苗族反對組織的成員。他們被殘暴地傷害, 女童被約30-40名士兵強姦後殺死。五名男女童在就近他們軍營處搜索食物時遭殺害, 他們身上沒有武器。

這些襲擊違反了國際人權及人道法的最基本原則, 強姦及殺害更構成戰爭罪行。寮國政府必須把干犯暴行的人繩之於法, 並滅絕對非武裝平民襲擊的問題。

Answers 答案：

1. 10 December 1948 一九四八年十二月十日
2. General Assembly 聯合國大會
3. 8
4. Australia, Chile, China, France, Lebanon, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America
澳大利亞、智利、中國、法國、黎巴嫩、蘇維埃社會主義共和國聯盟、聯合王國、美利堅合眾國
5. 30

Good News 好消息！



Anwar Ibrahim, Prisoner of Conscience, released! 良心犯安華獲釋

AHK warmly welcomes the release of former Malaysian Deputy Prime Minister Anwar Ibrahim on 2 September 2004. AI believes that Anwar Ibrahim was arrested and detained on account of his peaceful dissenting political activities and the challenge he posed to government leaders. The organization was gravely concerned that his trial was deeply flawed and is delighted that Malaysia's highest court, the Federal Court, has now quashed the conviction for sodomy and ordered his release. AI believes that the judiciary must continue to assert its independence from the executive and to protect the rights of individual Malaysians.

馬來西亞前副總理安華於2004年9月2日獲得釋放，國際特赦組織香港分會對此表示歡迎。國際特赦組織認為他是良心犯，他的被捕及拘禁是因和平的政治異見活動及對政府的挑戰。組織嚴重關注到安華的審訊錯漏百出，因此，我們很高興馬來西亞最高級的聯邦法院認清事實，撤銷控罪，並下令釋放他。國際特赦組織相信馬來西亞的司法必定會繼續其獨立性，不受行政機關的干預，及保護每一個馬來西亞人的權利。

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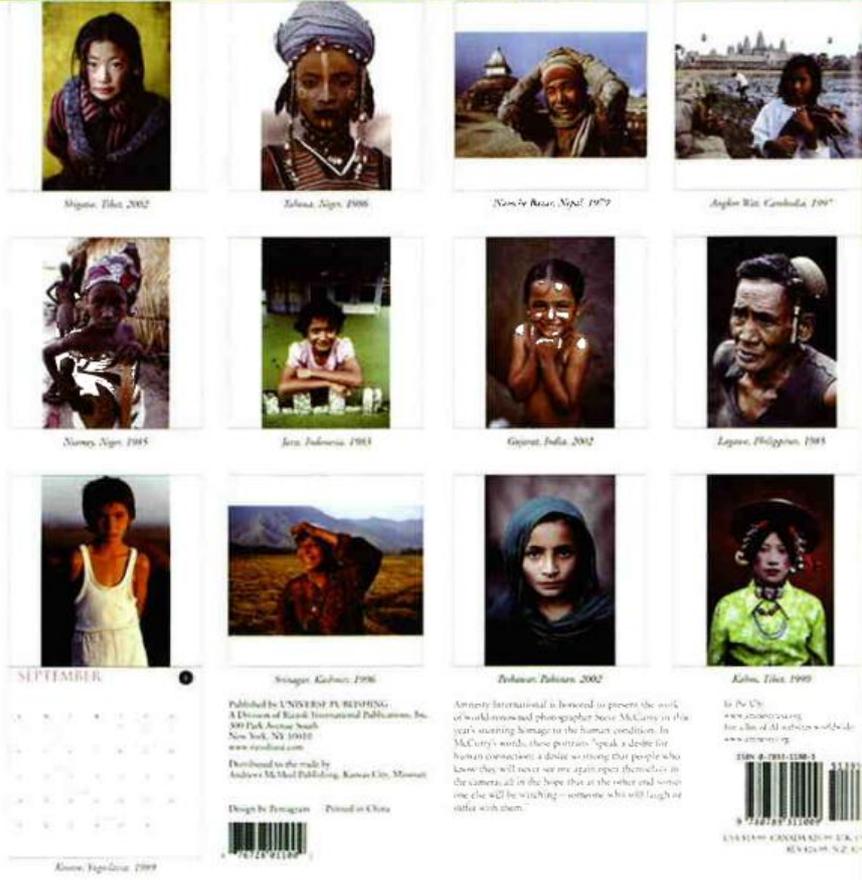
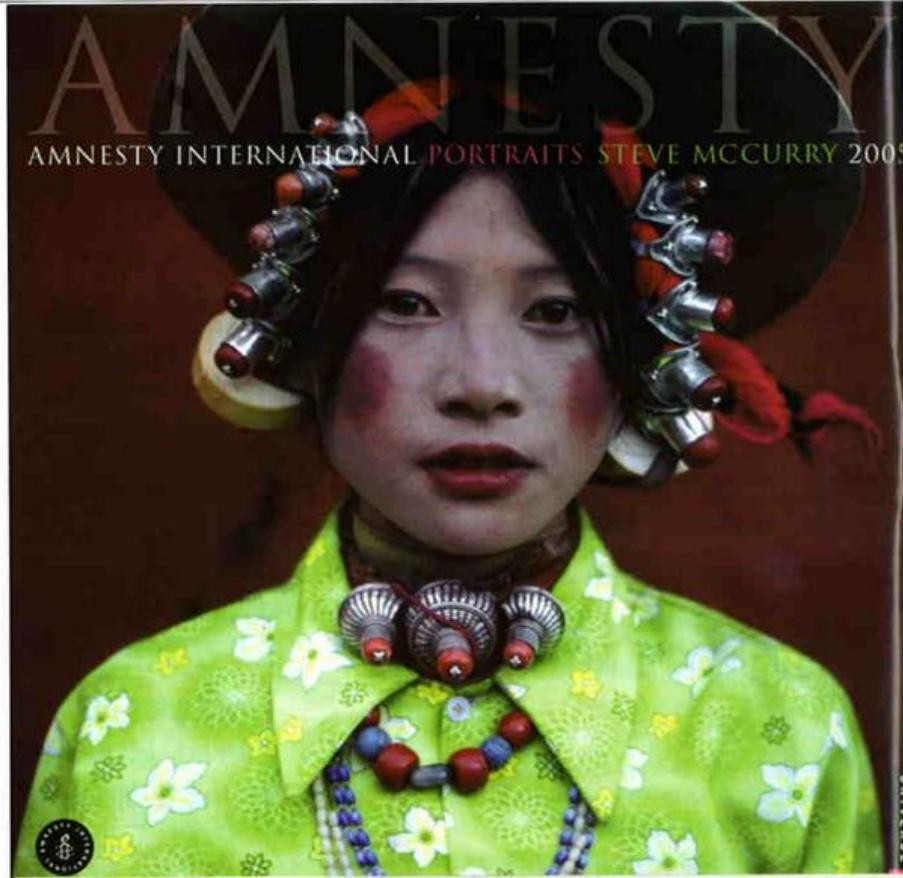


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