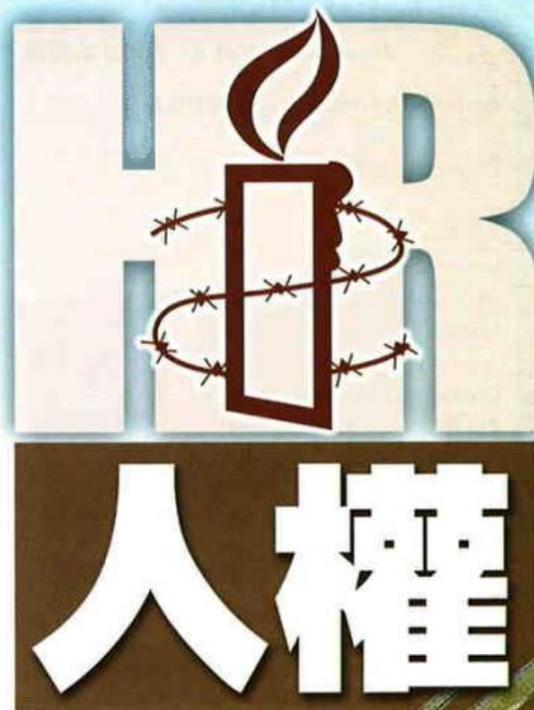


Ava Taperendy'i, son of the late Guarani-Kaiowá leader, Marcos Veron, stands next to a memorial to his father in Takuara, Mato Grosso do Sul. Marcos Veron was killed in January 2003 while attempting to peacefully reoccupy ancestral land. © AI

Detail stories in p. 8

已故 Guarani-Kaiowá 部落領袖 Marcos Veron 的兒子 Ava Taperendy'i 站在父親位於 Mato Grosso do Sul 州 Takuara 的紀念碑旁。Marcos Veron 在 2003 年 1 月意圖和平地重佔祖地時遭殺害。故事詳細內容於第 8 頁。



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Amnesty International is ...

- * 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.

國際特赦組是

- * 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。
- * 一個民主及以會員為基礎的人權組織，過去四十年來，一直致力推廣《世界人權宣言》中的所有條款及其他人權標準。
- * 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 above address.

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 或致函上面的地址。

國際特赦組織 - Hong Kong Section
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"Governments are betraying their promises on human rights. A new agenda is in the making, with the language of freedom and justice being used to pursue policies of fear and insecurity. This includes cynical attempts to redefine and sanitise torture," said Irene Khan, Secretary General of Amnesty International.

「各地政府背棄了它們對人權的承諾。一個借用自由及公義之名出現的新議程，正在醞釀當中，其採納的政策，帶來恐懼，缺乏安全保障。這包括以自欺欺人的方式對酷刑重新定義及淨化。」國際特赦組織秘書長 Irene Khan。

4. Feature: Amnesty International annual report 2005

專題：國際特赦組織 2005 年報

8. Amnesty in action: Brazilian Indians betrayed by government in-action

國際特赦行動：巴西的印第安人被政府的怠惰出賣了

10. Amnesty in action: Sexual Orientation Discrimination Ordinance
國際特赦行動：性傾向歧視條例

13. Section news
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世界事：關塔那摩灣之後

20. Good story: Write more!
振奮故事：寫多些信！



From the Chair

主席話

Many sections of Amnesty International are busy preparing for the International Council Meeting (ICM), the highest governing body of AI, to be held in Mexico in August. Guided by the principle of internal democracy, AI movement plans and other major decisions that affect the organisation as a whole are decided at the ICM where representatives from all AI sections gather every two years. Your views are invaluable in guiding us as a voice from AIHK at the ICM. Please make yourselves heard and send us your feedback.

In preparation for the ICM, I attended a consultation meeting on sexual and reproductive rights in mid-June in London. Currently, AI does some work on these issues, but has no working policy for them. However, since AI launched its global Stop Violence Against Women (SVAW) campaign, it has become clear that the promotion of women's reproductive and sexual rights are integral to this movement. Reproductive and sexual rights also bring to light other issues pertinent to AI, including freedom of expression, and economic, social and cultural rights.

AI could further defend reproductive and sexual rights by working on remedies for sexual violence; the provision of contraception; access to abortion; and access to sexual-health information and sex education. The consultation meeting provided an opportunity for constructive dialogue for representatives of more than 50 sections and structures of AI, as well as experts in the field and from the International Secretariat.

While some representatives expressed concerns that AI's taking up a position on reproductive and sexual rights could conflict with cultural and religious issues, others proposed it could be looked at within the context of what is already written in international human rights documents. AI is not only well-known for upholding international human rights standards and being a human rights watchdog, but also for shaping human rights and for being a pioneer for setting standards.

Despite the diversity of views, the discussion was held in an open and constructive manner in which participants felt that international solidarity and cohesiveness of the movement were a priority. The discussion of these issues will be continued at the ICM. Again, your views are important. Please send us your feedback by using the consultation paper attached to this issue. We hope to hear from you soon.

Lastly, I am pleased to welcome Sandra Wong to AIHK's team. As an experienced NGO manager, Sandra has brought tremendous expertise, enthusiasm and commitment to the work and goals of AI and AIHK since joining in May. She is a long-time volunteer in the feminist movement. To learn more about Sandra, read her entry in p.18 of this issue.

I would also like to take this opportunity to express my gratitude to all staff members at AIHK (Dinah, Danny, Christine, Hugh and Manfred) who have been taking care of the section while we have not had a director in place. Thanks also to all Exco members for shouldering the responsibilities of overseeing AIHK during this transitional period.

Best,

Si-si Liu

或許很多國際特赦組織的分會已著手忙於籌備八月在墨西哥舉行的國際議會會議(ICM)。ICM是國際特赦組織的最高管治架構，各地分會的代表每兩年便會聚首，就國際特赦組織的行動大計及影響整個運動的重要決定，進行討論及表決。這是我們內部民主原則的體現。隨同今期的「人權」，我們附上一份關於ICM討論及表決事項的諮詢文件。請踴躍發表您的意見，您珍貴的意見會引導我們的代表在ICM上表達香港分會的聲音。

同樣在準備ICM的期間，我在六月中到倫敦出席了一個性與生殖權的諮詢會。國際特赦組織現時沒有任何關於這方面工作的政策，然而當我們展開全球性的停止暴力對待婦女運動時，推廣婦女的生殖及性權卻成為了整全的運動的一部份。此外，國際特赦組織其他範疇的工作也會觸及到這議題，例如表達自由及經濟、社會及文化權利。

儘管國際特赦組織在生殖及性權上已展開了一些工作，進一步捍衛這些權利可讓國際特赦組織更加投入一些事項，如對性暴力受害者的補償；關注避孕服務；得到墮胎的途徑；以及得到性衛生資訊及性教育。諮詢會提供了一個機會讓超過50個國際特赦組織分會代表及業內與秘書處的專家，進行建設性的對話。

一些代表關心到國際特赦組織在生殖及性權的工作上採取了立場，會跟他們的宗教及文化有衝突；一些代表則建議先看看有甚麼東西已經在現有的國際人權約章上有著明。國際特赦組織不單是有名的維護國際人權標準監察者，我們同樣是有名的人權標準塑造者、制定標準的先鋒。儘管觀點有異，討論仍在開放及建設性的氣氛下進行，與會者覺得國際運動間的團結和凝聚同樣是一優先考慮點。這些議題會在ICM繼續討論。不厭其煩地，您的看法非常重要，請回應隨書付上的諮詢文件。期望快聽到您的聲音。

最後，我很高興與新總幹事王景兒加入香港分會的職員隊伍。作為一位經驗豐富的非政府組織管理人員，由她五月初入職開始，她已為香港分會以至國際特赦組織的目標及工作帶進了豐富的專業意見、熱誠及承擔。她同時間是女性主義運動的長期義工。您可於今期第18頁她的撰文中了解她多一點。

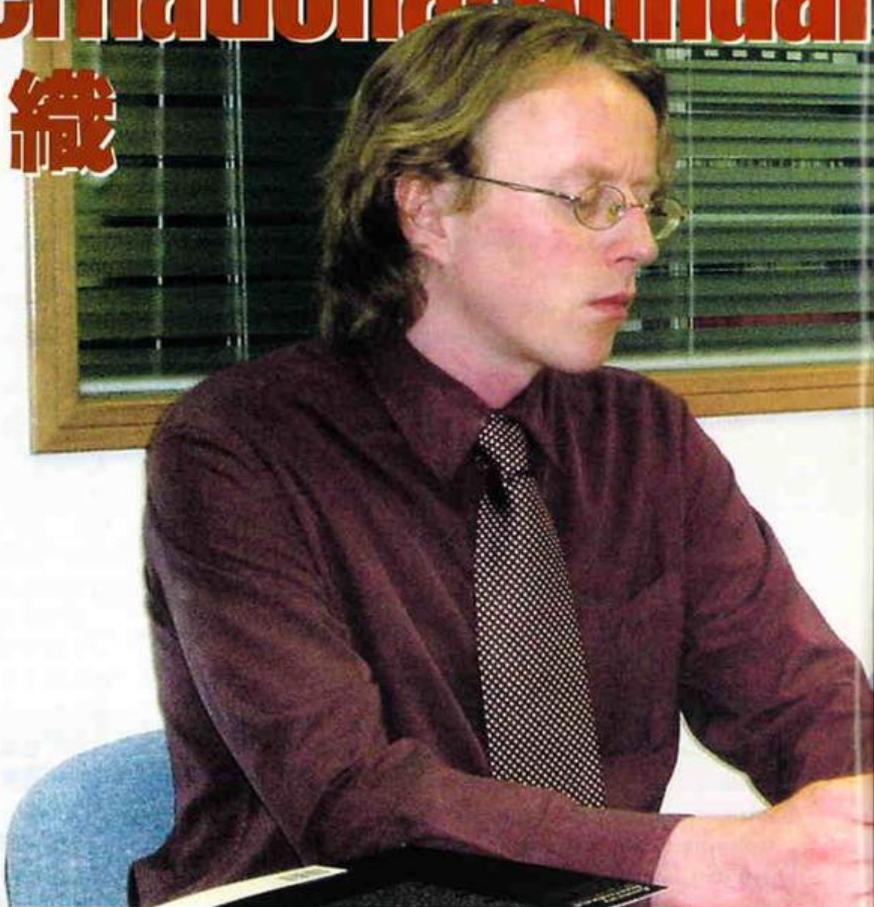
我亦想藉此向各位盡心盡力的職員在沒有總幹事的期間為分會作出的努力致意。再者，有勞各位執委會成員在這過渡期分擔了管理分會的責任。





年報

Amnesty International Annual 國際特赦組織 2005 年報



On 25 May 2005, the Amnesty International Report 2005 covering the state of the world's human rights in 2004 was released.

Speaking at the launch, Secretary General Irene Khan said that during 2004 governments had failed to show principled leadership and must be held to account.

"Governments are betraying their promises on human rights. A new agenda is in the making, with the language of freedom and justice being used to pursue policies of fear and insecurity. This includes cynical attempts to redefine and sanitise torture," said Irene Khan.

2005年5月25日，國際特赦組織發表關於全球2004年人權狀況的年報。

在發表《國際特赦組織2005年報》時，組織的秘書長 Irene Khan 指出，各地政府在領導能力上沒有原則可言，它們必須為此缺失作出交待。

「各地政府背棄了它們對人權的承諾。一個借用自由及公義之名出現的新議程，正在醞釀當中，其採納的政策，帶來恐懼，缺乏安全保障。這包括以自欺欺人的方式對酷刑重新定義及淨化。」

The report says this new agenda, combined with the indifference and paralysis of the international community, failed countless thousands of people in humanitarian crises and forgotten conflicts throughout 2004.

Asia-Pacific highlights

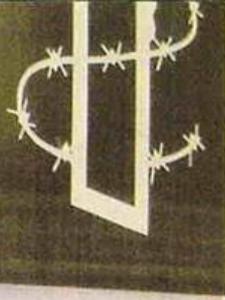
- Governments in the region failed to address ongoing human rights abuses, or respond effectively to new ones. Weak legal frameworks and ineffective justice systems culminated in impunity for perpetrators and failed to bring justice to the most vulnerable. This was illustrated by the widespread use of violence against women and girls, both during armed conflict and in the home, despite laws to protect them.
- Across the region, ordinary citizens and human rights defenders (HRDs) continued to be denied basic political rights, including freedom of expression and association. In Myanmar hundreds of prisoners remained in detention for legitimate acts of peaceful dissent, whilst in Viet Nam dissidents who criticized the government on the Internet were prosecuted.
- Armed conflicts in Nepal, Indonesia and India produced grave human rights abuses, from

在整個2004年，這個最新的議程，加上國際社會在態度上漠不關心，行動時卻無能為力，忽略了無數處身於人道危機及衝突地區中的平民。

亞太區重點

- 亞太地區的各國政府並沒有就持續的人權問題提出指控或對新的個案作出積極的回應。薄弱的法律框架，加上缺乏效律的司法制度，導致大量無辜的人被判罪，同時亦未能給予那些最容易受傷害的一群公平的審訊。縱然政府已訂立相關的法律保護婦女及女孩，但她們在戰爭中及家庭仍經常被施以暴力。
- 區內一般公民及人權捍衛者繼續被剝奪基本的政治權利，包括自由表達及結社的權利。在緬甸，數百名囚犯因為和平的行動而錯誤地被剝奪了自由，遭受拘留；在越南，異見人士因在互聯網上批評政府而遭受迫害。
- 在尼泊爾、印尼及印度的戰爭中，政府保安部隊及武裝部隊的衝突，引致嚴重的侵犯人權事件。在尼泊爾，“失蹤”事件、非法處決及對人權捍衛者的騷擾已達至空前的境地。在印度，有報導指出保安部隊要為連串暴力對待婦女事件負責。
- 人權在所謂的「反恐戰」進一步被削弱，疑犯在缺乏審訊下被入罪，囚犯被施以酷刑及折磨。雖然政府堅持繼續使用嚴苛的防禦法規，然而，這對於保護國民毫無幫助。武裝政治組織仍以平民為目標，加以殺害。於阿富汗，數以百計的人士遭美軍任意拘留，並拒絕予以合法的安全看守。折磨、粗暴對待

the state of the world's human rights Report 2005



both government forces and armed groups. In Nepal 'disappearances', unlawful killings and the harassment of HRDs reached unprecedented levels. In India security forces were reportedly responsible for a series of sexual assaults against women.

- The so-called 'war on terror' undermined human rights through detention without trial, and torture and ill-treatment. Governments continued to use draconian security legislation, yet failed to deliver security to their citizens, as armed political groups targeted and killed civilians. In Afghanistan hundreds were held in arbitrary detention by US armed forces and denied legal safeguards.
- The Indian Ocean tsunami of 26 December, which killed nearly 300,000 people and affected over 5 million others, elicited amazing levels of generosity from citizens and civil society in the region. This reaction demonstrated people taking the lead, with governments following, and provided hope that where governments have failed to deliver on promises, citizens may provide the energy for lasting change.
- In China, a clause was inserted into the constitution in March 2004 stating that "the state respects and protects human rights."

及非法處決等詳細的證據正續漸浮現。

- 12月26日在印度洋發生的海嘯所觸發的空前大災難為2004年畫上令人傷感的句號。是次令人震驚的事件導致接近30萬人死亡，同時亦令超過500萬人的生活受到影響。事件更引起區內民眾及社會的關注，予以高度的同情及慷慨協助。這些行動顯示了民眾可以採取主導，而政府則跟隨其後。事件亦為大家帶來了新希望，因為當政府未能信守承諾時，民眾亦可提供一股力量，推動持續性的改變。
- 在中國，於2004年3月憲法加以修訂，加入了一項條款，明確表示「國家尊重和保障人權」。然而，由於欠缺施行時所必需的制度改革，嚴重影響這些措施的落實執行。
- 國內的人權捍衛者及民間活動發起人在政治敏感期仍會被任意拘留或軟禁在家中。對於法輪功、非官方天主教組織、新疆及西藏分離分子等精神運動及宗教組織亦予以壓制。大部分被拘禁者在不經起訴及審訊之下，被判長短不一的「勞動教養」期，期間他們處於被施以酷刑及虐待的高危之中，尤其當他們拒絕承認他們的「罪行」。
- 中國仍有大量的死刑及處決個案。在錄得的3,797個處決個案中，中國佔了3,400個個案，相信真實數字亦遠高於此，估計中國每年處決的人數約有一萬之多。
- 在香港，中央政府於2004年4月一項釋法決定，限制了香港推動政治改革的自由，引起國際特赦組織對香港人權及法治受到蠶蝕的高度關注。

AIHK held a press conference on 25 June 2005 for the launch of the Amnesty International Report 2005. AI's reports have received tremendous media coverage in HK since 1999.

From left to right: Rob Godden, AI Asia Pacific regional campaign coordinator; Si-si Liu, AIHK chairperson; Titan Cheung, AI Asia Pacific research and campaign assistant © AIHK

香港分會就發表國際特赦組織2005年報於2005年5月25日舉行記者招待會，有關的傳媒報導是自1999年以來最豐富的。

由左至右：國際特赦組織亞太區運動統籌葛樂彬、國際特赦組織香港分會主席廖珮珊、國際特赦組織亞太區研究及運動助理張淑賢

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However, the failure to introduce necessary institutional reforms severely compromised the enforcement of this in practice.

- HRDS and grassroots activists in China continued to be arbitrarily detained or put under house arrest during politically sensitive periods. Repression of spiritual and religious groups and the so-called "separatists" in Xinjiang and Tibet continued. Most were subjected to "Re-education through labour", where detainees are deprived of the right to trial and due process and are also at high risk of torture and ill-treatment, especially if they refuse to admit their "wrong-doings".
- The vast majority of executions took place in China. Of the 3,797 executions recorded, China accounted for 3,400, although some inside the country have estimated the number to be as high as 10,000.
- In Hong Kong, the National People's Congress (NPC) interpretation of the Basic Law in April 2004 has restricted Hong Kong's freedom to push ahead with political reform. The NPC ruling has also highlighted Amnesty International's concerns about an erosion of human rights and rule of law in Hong Kong.

Worldwide highlights

- In Darfur, the Sudanese government generated a human rights catastrophe and the international community did too little too late to address the crisis, betraying hundreds of thousands of people.
- At a national level, governments betrayed human rights at terrible cost to ordinary people. Russian soldiers reportedly tortured, raped and sexually abused Chechen women with impunity. Zimbabwe's government manipulated food shortages for political reasons.
- The betrayal of human rights by governments was accompanied by increasingly brutal acts of

terrorism by armed groups. The televised beheading of captives in Iraq, the taking of over a thousand people hostage including hundreds of children in a school in Beslan and the massacre of hundreds of commuters in Madrid shocked the world. Yet governments are failing to confront their lack of success in addressing terrorism, persisting with failed but politically-convenient strategies. Four years after 9/11, the promise to make the world a safer place remains hollow.

Signs of hope

- Legal challenges to the new agenda included US Supreme Court judgements on Guantanamo detainees and the ruling by the UK Law Lords on indefinite detention without charge or trial of "terrorist suspects". Public pressure included the spontaneous turnout of millions of people in Spain protesting against the Madrid bombings, popular uprisings in Georgia and Ukraine and the growing debate on political change in the Middle East.
- Increasingly, the duplicity of governments and the brutality of armed groups are being challenged - by judicial decisions, popular resistance, public pressure and UN reform initiatives. The challenge for the human rights movement is to harness the power of civil society and push governments to deliver on their human rights promises.

The introduction to the 300-page report includes topics such as armed conflict, violence against women, economic and social insecurity, and UN reform. The main section consists of reports on individual countries. You can read the report at <http://web.amnesty.org/report2005> or buy a hard copy from our office.

The Hong Kong Section has also translated some parts of the report, which are available on the Notice Board page of our Chinese web site (www.amnesty.org.hk).

全球性重點

- 在整個 2004 年，這個最新的議程，加上國際社會在態度上漠不關心，行動時卻無能為力，忽略了無數處身於人道危機及衝突地區中的平民。
- 在國家的層面，政府以平民百姓為代價，背離人權原則。俄羅斯士兵據報對車臣婦女施以酷刑、強姦及性侵犯，而不被追究刑責。津巴布韋政府則因政治原因，製造了一場糧食危機。
- 各地政府對人權的背離，引發出恐怖主義愈加可怖的行徑 - 武裝組織傾向無所不為，進行更加殘酷的襲擊活動。電視播放伊拉克人質被斬首的情況，在比斯蘭(Beslan)過千人在學校內遭挾持，當中包括數百名學童，以及馬德里屠殺數百平民的事件，都震驚全球。但各地政府不能認識到它們在對付恐怖主義問題上的失敗，反而繼續採取一些在政治上立竿見影，卻在保安上徒勞無功的策略。911 襲擊後四年，要令世界成為一個安全地方的承諾，依然是落空的。

樂觀的一面

- 以法律挑戰最新議程的例子，包括美國最高法院對關塔那摩海軍基地被拘留者的判決，以及英國上議院法律議員對無經起訴及審訊而無限期拘留「恐怖組織嫌疑份子」的司法決定。來自公眾的壓力，包括在西班牙數以百萬計的人自發地走上街頭，抗議馬德里發生的炸彈襲擊、格魯吉亞的人民起義及中東在政治變革上持續增加的討論。
- 各國政府的謊言與武裝組織的暴行，受到愈來愈多的挑戰，包括司法的判決、平民的抗爭、公眾的壓力及聯合國的改革動力。人權運動的任務，是利用公民社會的力量，推動各國政府實踐它們對人權的承諾。

年報全長三百頁，簡介部份包括了武裝衝突、暴力對待婦女、經濟及社會保障的困局及聯合國改革等題目，而年報的主要部份仍個別國家之人權狀況報告。你可於此網址：<http://web.amnesty.org/report2005> 瀏覽年報之英文全文，印刷版於本辦事處有售。此外，香港分會亦翻譯了年報的部份內容，它們已經上載至本會中文網站的告示板 (www.amnesty.org.hk)。

Spain must act effectively now to protect women's rights in the home

西班牙一定要採取行動去保障婦女在家中的權利

Fifty-nine-year-old Teresa, who left her husband after 38 years of insults, beatings and forced sex, is convinced that if she reported him, her situation would get worse. She does not trust public institutions to protect her. At the time of her interview with Amnesty International, she had spent nine months hiding in her own home with the blinds shut so that her husband would think she had left the city.

Teresa's story is not rare. The number of women killed by their partners or former partners as a result of gender-based violence has continued to increase since 2001, according to official statistics. In 2004, 72 women in Spain died at the hands of their partners or former partners. Seven of these women had been granted protection orders.

Survivors of domestic violence face considerable obstacles in getting help, protection, and justice, according to an Amnesty International report. Official statistics show that more than 95 per cent of women suffering such ill-treatment do not make a complaint. Those who do report such crimes are met with indifference or face insensitive interrogations which discourage them from pursuing their case any further.

"The Spanish state has a responsibility to prevent violence, investigate abuses, punish those responsible and compensate the victims, and must do so without delay using all appropriate means," said Maria Naredo, Women's Officer at Amnesty International Spain.

Despite welcoming the drafting of a new law on gender-based violence, Amnesty International is concerned that the onus for setting protection measures in motion will continue to fall on the victims, and comprehensive help will only be available to those who lodge official complaints.

"This law is only a working framework, a starting point for alleviating the obstacles facing women, which women themselves have been pointing out," said Ms Naredo. "The Spanish government must put effective measures in place to make the rights of every woman a reality."

Drawing upon the testimonies of women who



Women protest in the centre of Madrid, Spain, against domestic violence. © Andrea Comas/ Reuters 婦女在西班牙馬德里市中心抗議，反對家庭暴力

have survived violence in the home, the organisation found evidence of prejudice and discrimination in the response of public institutions. A particular concern was the lack of protection afforded to women from vulnerable groups, such as undocumented immigrant women, Roma women, disabled women, and women with psychological problems or addictions.

Undocumented immigrant women encounter particular barriers in getting help, despite it being acknowledged that they should receive the same protection as others. In some regions of Spain survivors of domestic violence have to be sponsored before they can enter a refuge; in others, they are denied access and are referred instead to general immigrant support centres. To be eligible for financial support, women who have been granted a protection order must be in the process of seeking employment. But undocumented immigrants are unable to do so because of their administrative status.

Take action! The Spanish government must ensure its obligation to prevent and protect women from violence. Please sign up for an online petition at <http://www.es.amnesty.org/actforwomen/esp-120505-action-eng.htm> so that we can send a letter on your behalf to the Spanish Prime Minister calling on him to put an end to gender violence discrimination, and to prevent and protect women from violence.

59歲的德肋撒已離開了她的丈夫，因她被丈夫侮辱、毒打及強迫性行為。她相信如告發她的丈夫，情況將會更壞。她不相信公共機構能保護自己。在接受國際特赦組織訪問時，她已把自己關在家中9個月，把窗簾落下；令她的丈夫以為自己已離開城市。

德肋撒的故事並不罕有。根據官方數字，自從2001年，被伴侶或前伴侶因性別暴力殺死的婦女不斷上升。在2004年，72位婦女死在他們的伴侶手上，其中7人獲發保護令。

根據國際特赦組織的報告，因家庭暴力而幸存者得到幫助、保護及公義方面面對相當

障礙。官方數字顯示超過百分之九十五被虐待的婦女沒作出投訴。有舉報此種罪行的婦女遇到冷淡對待或要面對麻木的盤問，因此他們放棄繼續追究。

國際特赦組織西班牙分會婦女主任馬利亞·拿利度說：「西班牙國家有責任防止暴力、調查虐待個案、懲罰有關人士及對受害者作出補償；且一定要立即使用一切適當方法實行。」

國際特赦組織雖然對性別暴力一條新法例的草議表示歡迎，但仍關注對實行保護措施的責任仍會繼續落在受害者身上，因只有提出正式投訴的受害者才會得到全面的援助。

馬利亞·拿利度說：「婦女們自己指出，這法例只是一個實行架構，是對減輕婦女面對障礙的一個起點。西班牙政府一定要作出恰當的辦法去實現每一位婦女的權利。」

從經歷家庭暴力而幸存婦女的証辭，國際特赦組織發現公共機構的回應存在偏見及歧視。組織特別關注易受傷害組別的婦女缺乏保護。此組別包括：無証件的移民婦女、吉卜賽婦女、殘疾婦女、有心理問題及有毒癮的婦女。

無証件婦女對求助遇到特別障礙，雖然他們應接受到與其他人士同等保護這點已獲承認。在某些區域，幸存者需擔保才可入住庇護所；在其他區域，她們不獲入住而被送到普通移民支援中心。如要得到經濟援助，獲保護令的婦女一定要在找尋工作……但無証件的移民因他們在行政上的身份而不能做到。

行動！西班牙政府一定要確定它對防止及保護婦女遭受暴力的責任。請簽署網上請願書 <http://www.es.amnesty.org/actforwomen/esp-120505-action-eng.htm>

Brazilian Indians betrayed by government inaction

巴西的印第安人 被政府的怠惰出賣了



"We heard it said that the police are coming with a tractor to destroy everything. We would like to know who is going to feed our children... We would like to let the police know we are not leaving... We are not leaving the land alive."

「我們聽說警察開著拖拉機來要毀掉所有東西。我們要知道誰可以養活我們的孩子...我們要让警察知道，我們不會離開...我們不會離開這塊土地。」

Threatened with eviction from their ancestral home, members of one group of the Guarani-Kaiowá indigenous community in Mato Grosso do Sul state, south-west Brazil (see the map), issued the above statement in January. The land had already been reserved in their favour by the government in October 2004, but three months later, a regional court ordered the community's eviction from it. The case prompted a national and international outcry. On 29 March, the day before AI launched a report on the situation of Indians in Brazil, Brazil's President officially "ratified" the land as belonging to them. Without such pressure, however, the result could have been very different.

Brazil's indigenous communities continue to suffer violent attacks, killings and discrimination in the face of government reluctance to fully protect their rights. The authorities' lack of commitment to efficiently and conclusively define and cede indigenous lands by law has left Indian communities vulnerable to attacks from other interests competing for their land.

In January 2004, protesters, apparently coordinated by local landowners, invaded a Catholic mission in Raposa Serra do Sol in Roraima state. Following a government announcement that indigenous land claims to the area would soon receive presidential approval, the protesters held missionaries hostage, blocked roads and threatened further attacks against indigenous communities. But the handover of land was postponed and in November 2004, an armed group attacked three indigenous communities in the same area, destroying 23 homes. President Lula finally approved recognition of the area as

在巴西西南部的 Mato Grosso do Sul 州(可參考地圖), 一個 Guarani-Kaiowá 原住民部落的成員們, 被威脅要驅逐離開祖厝, 於是在 1 月時作出上述的聲明。該國政府在 2004 年在他們的贊成下, 將這塊土地予以保留, 但在三個月過後, 地方法院判決要將他們驅逐離開。這宗案件引起國內與國際的抗議。在國際特赦組織發佈關於在巴西之印第安人的情況報告的前一天, 也就是 3 月 29 日, 巴西總統「正式」地「批准」該土地屬於他們。然而, 如果沒有這樣的壓力, 結果可能變得很不一樣。

巴西的原住民部落面臨政府不願徹底保護他們權利下, 持續遭到暴力攻擊、殺害以及歧視。當局對使用法律有效明確的界定原住民土地欠缺承擔, 且已造成印第安部落容易遭其他競逐土地利益者的攻擊。

2004 年 1 月, 一群顯然是由當地地主安排的抗議者, 侵入在 Roraima 州 Raposa Serra do Sol 的天主教教團。在政府宣布該地區原住民的土地所有權不久將獲總統批准後, 抗議者拘留天主教會教士作人質, 封鎖道路, 並威脅要對原住民部落進一步攻擊。但是土地的移交被延期, 並且在 2004 年有武裝組織攻擊同一地區的三個原住民部落, 毀壞了 23 間房子。總統盧拉終於在 2005 年 4 月批准承認該地區是原住民土地。

因為在面對巴西原住民部落議題的處理上缺乏一致的策略, 該國政府正讓過去的錯誤日漸惡化。被賦予要保障原住民利益, 並監督土地



Brazil (states where land is currently contested are highlighted in green)
巴西地圖 — 綠色的州份是現在有土地爭議的地方

an indigenous territory in April 2005.

With no coherent strategy to resolve the issues faced by Brazil's indigenous communities, the government is just exacerbating the errors of the past.

Pernambuco

The National Indian Foundation (FUNAI), the government body charged with protecting indigenous interests and overseeing land transfers, is hampered by corruption and a lack of resources. The Brazilian government itself has criticized FUNAI for its "lapses in the exercise of its functions" and has stated that reforming and restructuring FUNAI would be made a priority.

But in 2004, it cut FUNAI's budget by eight per cent.

The land transfer process, when it does take place, can take years - even decades to complete. Not only are there structural and political delays associated with FUNAI, but there are also difficulties associated with settling compensation payments for those who have acquired indigenous land in good faith. The Brazilian Constitution does not allow for compensation for the value of the land itself - only material or physical benefits to it. This often leads to severe resistance by landowners to proposed land transfers.

The situation is made worse by the fact that the government recently appointed the Chamber of Foreign Relations and National Defence (CREDEN) to oversee the creation of proposals for a "new indigenous policy". Among other areas of policy development, CREDEN is responsible for tackling drug trafficking and international crime, international defence and immigration.

"[T]he government has adopted the most perverse form of differentiated treatment," a prominent indigenous leader told AI in January. "[W]e are

being treated like foreigners in our own country, and even as a threat to sovereignty. With this the hope of seeing our territories demarcated and ratified ... has been substituted by fear."

See Brazil — "Foreigners in our own country": Indigenous peoples in Brazil (AMR 19/002/2005) and <http://news.amnesty.org/pages/BRAZIL> ■

移轉的政府機關的國家印第安人基金會(基金會)，因為貪污以及缺乏資源而受阻。巴西政府自己也批評基金會「在基金運用上有失誤」，並聲稱改革與重建基金會是首要之務。但在2004年，政府卻刪減基金會百分之八的預算。

土地移轉的過程可能要歷時數年之久，甚至是數十年。不僅是跟基金會的結構與政治上的延遲有關，也跟對於善意持有土地的原住民，進行補償時出現困難有關。巴西憲法不允許針對土地本身的價值進行補償，只有當中的實質利益才可以。這經常導致地主對提議土地移轉有激烈抵抗。

因為政府最近指派外交與國防部檢視「新原住民政策」的草創過程，情況便變得更为惡劣。在其他的政策發展領域中，該部門所負責的是對付毒品交易、國際犯罪、國際防衛與移民。

「政府採取了分化措施中最惡質的形式，」一名顯赫的原住民領袖於1月時這樣告訴國際特赦組織。「我們在自己的國家內，被像是外國人一樣看待，甚至被當作國家主權的威脅。看見我們土地能確認並得到認可的希望...已經被恐懼所取代。」

請見報告「巴西：在我們自己國家被當作外國人- 在巴西的印第安人(AMR 19/002/2005)」以及網站 <http://news.amnesty.org/pages/BRAZIL/> ■

ACT NOW!

Send postcards to President Lula calling on him to combat impunity for attacks on indigenous leaders and to resolve Indian land claims. If you would like to help distribute pre-addressed postcards featuring the picture on this page, please contact the Brazil Team, for a minimum of 25 cards only, at Amnesty International International Secretariat, Peter Benenson House, 1 Easton Street, London WC1X 0DW, United Kingdom or by email at pesquisa@amnesty.org

立即行動!

請寄明信片給總統盧拉，呼籲他打擊對原住民領袖攻擊的逃責行為，並解決印第安人的土地索償。如果你要幫忙發送已經印好地址，並在前頁有照片的明信片，請與國際特赦組織國際秘書處巴西團隊聯絡（地址：Brazil Team, Amnesty International International Secretariat, Peter Benenson House, 1 Easton Street, London WC1X 0DW, United Kingdom，或者寫電子郵件至 pesquisa@amnesty.org。）每次最少25封明信片。

Sexual Orientation Discrimination Ordinance (SODO) 性傾向歧視條例

One of the demands of the Tongzhi (lesbian, gay, bisexual and transgender) groups is to have a sexual orientation discrimination ordinance (SODO) enacted, similar to ones already in place in Hong Kong for family, gender and disability. The HKSAR Government has long been saying that it is looking into this, and a SODO is currently under consultation. AIHK has been attending the Home Affairs Bureau's public forums to put forward our views. However, there have been many delays in the process and a great deal of misinformation is circulating. Below are some answers to FAQs on the subject.

同志(概括地代表同性戀、雙性戀、變性及易服等)團體其中一個要求是制定一條性傾向歧視條例。正如已為家庭、性別及殘疾人士制定的法例一樣。香港特別行政區政府在很久以前已說正研究此事,而這條法例現正在諮詢中。國際特赦組織香港分會已出席過民政事務局多個的公開論壇,表達我們的意見。可是,條例的諮詢過程中存在很多延遲而且正傳開很多錯誤資訊。以下是本會就有關此題目的一些常見問題的答案。



Why does Hong Kong need a SODO?

Legislation against discrimination is required by Hong Kong's membership of the United Nations.

Privacy, equality, and the integrity, autonomy, dignity and well-being of the individual are all principles of human rights. To cause harm to another based on their sexual orientation, an important facet of who we are, is to contravene their human rights. There is an urgent need to pass anti-discrimination legislation for sexual minorities in the same way that there is a need to protect ethnic minorities from discrimination.

The SODO, like other discrimination ordinances, is there to provide redress for people who feel they have been discriminated against. Currently we have discrimination ordinances for gender, marital status, and disability and soon we shall probably have one for race. Amnesty International Hong Kong (AIHK) wants to see an ordinance to prevent discrimination on the basis of sexual orientation.

The ordinance will protect people in the fields of employment, housing, and service provision. For instance you couldn't refuse to rent an apartment to a couple just because they are the same sex.

Does this mean only gays will be protected?

No, everyone has a sexual orientation; therefore everyone will be protected from this particular form of discrimination. For instance a gay bar wouldn't be able to have a policy of only

On 16 May 2005, AIHK's LGBT group, along with other gay groups in Hong Kong gathered in Causeway Bay to mark the occasion. The choice of Causeway Bay, one of the busiest places in Hong Kong, symbolised the gay community's desire to be seen and taken notice of. © AIHK
5月16日,國際特赦組織香港分會的同志組,與香港其他的同志組在銅鑼灣聚集慶祝這事件。選擇銅鑼灣,(香港其中一個最旺的地方),象徵著同志社群希望被看見及被留意。



為甚麼香港需要性傾向歧視條例?

香港作為聯合國成員有需要立法反對歧視。私隱權、平等、完整性、自主、尊嚴及幸福,這些所有都是人權的原則。基於他人的性傾向而對他們作出傷害,就是侵犯他人的人權,因為性傾向是我們個人的一個重要層面。正如有需要保護少數族裔不受歧視一樣,少數人的性傾向也迫切地需要反歧視法案的通過。

性傾向歧視條例,正如其他歧視條例,是對覺得受歧視的人作出補償。現時,我們有對性別、婚姻狀況、殘疾人士的歧視條例;在不久的將來,很可能有對種族歧視的法例。國際特赦組織香港分會希望有一條法例防止基於性傾向的歧視。

這條法例會保護僱員、住屋及服務提供。例如:不能拒絕出租樓宇給同性伴侶。

是否只保護同志?

不是。任何人都具有性傾向,所以任何人都會因這條特別的歧視法例受到保護。例如:一所同志酒吧不能有只僱用同志員工的政策;也不能有一個只租屋給同性伴侶的屋苑。

除了性傾向歧視條例外,還需要其他措施去確保平等嗎?

是的。我們相信立法需要跟教育攜手合作。如要法律正確地被應用,人們在日常生活中又不覺得受到歧視,人們的態度便需要改變。

聲稱自己是同志,是否便可避免被解僱?

不能。如果有人應用性傾向歧視條例投訴自己被不公平地解僱,這個案很可能便會由平等機會委員會決定。他們會考慮那人被開除的主



The International Day against Homophobia event on 16 May 2005 in Causeway Bay
2005年5月16日在銅鑼灣的國際反恐同日活動

hiring gay bar staff, nor would you be able to have a "gay only" housing estate that only rents to gay couples.

Will other measures apart from a SODO be needed to ensure equality?

Yes, we believe education goes hand in hand with legislation; attitudes need to be changed if the law is to be applied properly and people feel they are not discriminated against in their everyday life.

Can someone avoid being dismissed from work by just claiming to be gay?

No, if a complaint is lodged for unfair dismissal using the SODO then the case will be decided (probably by the Equal Opportunities Commission) on whether the person was dismissed primarily because their boss thinks he/she is gay. Somebody who performs poorly at their job and is sacked for failing performance targets, for example, cannot simply claim that he was sacked for being gay.

Are people in danger of being "outed"?

No. The person's sexual orientation is not the issue. The issue is the perception of the person discriminating. Many people will probably still feel uncomfortable revealing their sexual orientation but the SODO is one of a number of means of trying to make the workplace and society in general more accepting of LGBT people.

Will this stop me saying I disapprove of homosexuality?

No, the legislation is designed to prevent discrimination and does not restrict speech or seek to restrict personal opinions. Amnesty International has a long history of protecting freedom of speech, which we believe is a fundamental human right. Anybody who wants to publicly disapprove of homosexuality will still be able to do so openly. We don't know what is planned for the SODO, but it is likely the Hong Kong Government will take the mainstream and acceptable route: disallowing the incitement of hatred, contempt or ridicule towards another person, while still allowing freedom of expression.

Will this mean gay people can get married?

No, marriage and partnership rights are not affected by this ordinance. Amnesty International believes that all families should be accorded equal protections but this issue will not be addressed in this ordinance.

International Day against Homophobia

17 May 2005 was the first ever International Day against Homophobia (IDAHO) and organisers hope it will become officially recognized. The date was chosen because on 17 May 1990, the General Assembly of the World Health Organization finally removed homosexuality from their list of mental disorders. China did the same in 2001. ■

要原因，是否因他/她是同志，還是因他/她的工作表現欠佳。如在工作表現欠佳的人，不能只聲稱自己是同志便可避免遭解僱，除非他有足夠證據證明這是被開除的原因。

同志們是否有被迫揭露身份的危險？

不是。正如上述，一個人的性傾向不是爭論點，而歧視他人的人的觀點才是關鍵。很多人仍會覺得表露自己的性傾向是不妥當的，但性傾向歧視條例是其中一個方法嘗試去令工作間及社會多點接受同志們。

這會否阻止我說我不贊同同性戀？

不會。立法只是設法防止歧視而不是用來限制言論或管制個人意見。國際特赦組織對於保護言論自由已有長久的歷史，因為我們相信這是基本人權。任何人想公開反對同性戀仍可公開這樣做。我們不知香港政府就性傾向歧視條例會有甚麼計劃，但預期香港政府會採取主流及可接受的手法，不許別人對他人激發起憎恨、侮辱或嘲笑的同时，仍保留言論自由。

這是否表示同志可結婚？

不是。這法例並不影響婚姻及伴侶的權利。國際特赦組織相信所有的家庭應得到平等保護，但這爭論點不會在此法例中提及。

國際反恐同日

2005年5月17日是第一個國際反恐同日，而且亦是主辦者希望會成為一個被正式承認的日子。選擇5月17日，因在1990年5月17日，世界衛生組織會議最終將同性戀在他們的精神失調目錄表中刪除。中國在2001年也同樣做。 ■

AI launches trade union action for Bhopal disaster victims

國際特赦組織為博帕爾災害的受害者展開工會行動

AI has launched a postcard campaign using a Union Carbide Company (UCC) poster to call on UCC/Dow Chemical to face justice for the thousands of lives wrecked by the 1984 gas leak from its pesticide plant in Bhopal, central India.

國際特赦組織已經就 1984 年在印度中部博帕爾造成數千人死亡的殺蟲劑工廠毒氣外洩事件，展開明信片行動，組織運用聯合碳化公司的海報作為明信片的圖片，呼籲聯合碳化公司與陶氏化學公司面對法律制裁。

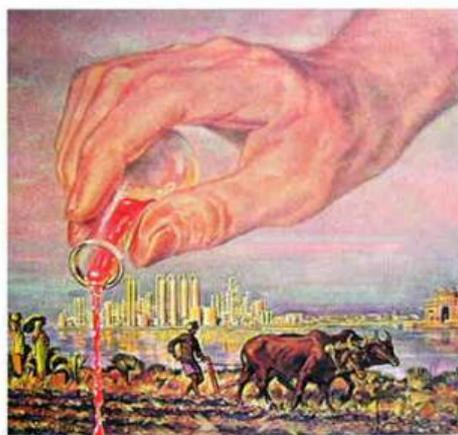
This May Day, trade union members are being urged to take up the Bhopal case as a symbol of corporate failure to respect the rights of the communities in which they operate.

Trade unionists are further encouraged to use the Bhopal case to highlight the value of the UN Norms for Business in clarifying the duty companies have to respect and protect human rights.

More than 7,000 people died in Bhopal as a result of exposure to toxins released by the Bhopal plant leak. In the years that followed, many more thousands died or developed debilitating illnesses which impaired their ability to work. A 1985 survey found that 65 per cent of workers in the area most seriously affected by the disaster faced a drop in income ranging from 20 to 100 per cent.

UCC was aware of safety concerns at its Bhopal plant as early as 1982, but failed to take necessary precautions. In fact, from 1983, the company implemented various cost-cutting measures that meant that damaged equipment was patched up instead of repaired, or replaced with sub-standard equipment. "We started using bits and pieces of equipment which were better thrown away — for instance caskets and bits and pieces of pipelines," recalled a former safety officer at the plant. "We welded them together and used them."

The company continues to evade responsibility, refusing to disclose toxicological



A 1962 advertisement announcing the arrival of Union Carbide in India. © UCC
一張1962年的廣告，宣佈著聯合碳化公司來臨印度

information about the leaked substances which is vital to properly treating victims of the disaster. Since 1991 UCC has refused to appear before the Bhopal district court where criminal charges are still pending against them. In May Dow Chemical, which took over UCC in 2001, is expected to appear for the first time before an Indian criminal court to explain why UCC has never answered to charges of culpable homicide.

See India: Clouds of injustice — Bhopal disaster 20 years on (ASA 20/015/2004) and "A bitter wind in Bhopal", the Wire, December 2004.

Take action! Write, urging UCC/DOW Chemical to: appear before the Bhopal court in the criminal case, make public all information it has on the gases released on the day of the leak, and cooperate fully with those assessing the long-term health consequences of the gas leak.

今年國際勞動節，工會成員都被要求對博帕爾個案採取行動，成為代表企業未能尊重所在社區權利的一種象徵。

工會成員更進一步用博帕爾個案標舉聯合國企業規範的價值，闡明企業有責任必須尊重與保護人權。

有超過 7,000 人因為曝露在博帕爾工廠外洩的有毒物質而死亡。在隨後的幾年當中，有數千人相繼而死，或者日漸衰弱患病而減損工作能力。一項在 1985 年的調查發現，在這災害影響最嚴重地區，有 65% 的勞工，在收入上減少 20% 到 100% 不等。

聯合碳化公司早在 1982 年就知道其在博帕爾工廠的安全問題，但卻未採取必要的預防措施。事實上，從 1983 年起，該公司採行多項削減成本措施，意味著損壞了的設備只是修補而非修理，甚至是以不符標準的設備替代。「我們開始用零散的設備，總比把它丟掉要好，比如說小箱子或零散的輸送管線，」一名在該工廠的安全主任回憶道。「我們把它們焊接起來然後使用。」

該公司持續逃避責任，拒絕透露當時外洩有毒物質的資訊，而這對於能正確醫療災害受害者有著關鍵的作用。自從 1991 年起，聯合碳化公司就拒絕在博帕爾的地區法院出庭，而該法院對他們仍有刑事罪名候審。在 5 月時，於 2001 年接管聯合碳化公司的陶氏化學公司，預計將首度在印度的法庭出庭，以解釋為何聯合碳化公司不願對殺人罪行負責。

請閱報告「不義遮天：博帕爾災變的二十年 (ASA 20/015/2004)」，以及 2004 年 12 月新聞通訊「在博帕爾刺骨寒的風」。

採取行動！請書寫申訴書，敦促聯合碳化公司及陶氏化學公司為此刑事案件出庭，公布毒氣外洩當天的所有資料，並在評估此毒氣外洩事件長期的健康影響上完全合作。

Send letters to 信件請寄：
Andrew N. Liveris, President and Chief Executive Officer, Dow Chemical Company, 2030 Dow Center, Midland, MI 48674, USA
Fax 傳真：(+1) 989 638 9468
Email 電子郵件：anliveris@dow.com
(cc: appeals@amnesty.org)

Malaysia Group 馬來西亞組

In March the AIHK Malaysia Group, together with migrant organisations, began campaigning against the crackdown on undocumented migrants in Malaysia. The authorities declared their intention to deport up to 600,000 such migrants to Indonesia, the Philippines, Myanmar and other Asian countries. A previous deportation of this kind in 2002 resulted in severe human rights abuses.

AI's researcher visited Malaysia in April, where it became apparent that the scope and scale of the operations were much less than in 2002. In fact, the shortage of labour resulting from migrants leaving Malaysia was so serious that the authorities decided to allow work permits to be issued to migrants re-entering the country on tourist visas.

One factor in mitigating the scale of human rights abuse has undoubtedly been the efforts of AI and other groups in campaigning on this issue. But despite the reduced scale of recent



arrest operations, serious concerns remain, including inhumane conditions in the camps; the detention of refugees, including children; refoulement or pushing back of people to countries where they may face persecution; and the failure to ensure fair trials for those prosecuted under the Immigration Act, leading to whipping and imprisonment of the innocent as well as those found "guilty" under the Act.

The AIHK Malaysia group will continue to work on this important human rights issue and campaign for the release of those detained without trial under the Internal Security Act. Several detainees have been released recently, and we will campaign for the release of others as their two-year detention periods expire between September and December this year. ■

Illegal migrant workers queue for documents outside the Indonesian embassy in Kuala Lumpur, October 2004. © AP
非法外勞在吉隆坡印尼領事館外排隊輪候文件，2004年10月

在 三月份，國際特赦組織香港分會馬來西亞組聯同外勞團體開始了行動，抗議馬來西亞打壓無證外勞。馬來西亞當局宣稱，他們屬意遣返達六十萬之無證外勞至印尼、菲律賓、緬甸及其他亞洲國家；2002年之遣返行動導致了嚴重的人權侵犯。

國際特赦組織的研究員四月探訪了馬來西亞，發覺到上述行動之規模明顯不及2002年的那一次。事實上，外勞離開馬來西亞已令當地勞工嚴重短缺，當局因此決定向持旅遊簽證再次入境的外勞發出工作簽證。

毫無疑問地，一個舒緩了這次人權侵犯事件嚴重性的因素，就是國際特赦組織及其他團體為這事件所作的行動。儘管這次拘捕行動之規模縮小了，我們對其他相關的事件仍表示嚴重的關注。這些包括拘留營內有辱人格的環境；拘禁包括兒童在內的難民；強迫遣返回國後會遭迫害的人士；及以移民法令檢控時未能達至公平審判的標準，以至無辜及『有罪』的在這法令下遭受笞刑或監禁。

馬來西亞組將繼續為這重要的人權事件努力，並繼續爭取釋放那些在內安法下未經審訊而被拘禁的人士。數名被拘者近期獲釋，另兩名的兩年拘留期在九月及十二月分別屆滿，由於拘留期可被重續，我們會爭取釋放他們。■

Death Penalty Group 死刑關注組

The Death Penalty group participated in Earth Day at Kowloon Park in May. This was a good opportunity for AI members to meet new people and make contact with environmental groups in Hong Kong. Although their causes differ, a lot of mutual interest was shown, and hopefully these groups can work together in the future.

The DP group gave a talk at Chu Hai College in June. The event was open to all and was well attended. The ideas and information presented led to a lively debate. The DP group welcomes any suggestions from other groups who would be interested in a similar presentation on the issues surrounding the death penalty worldwide.

Work continues on the death penalty pages which will be added to the AI Asia Pacific website. Some members have already made suggestions about the content of these pages as well as the presentation. There is still a lot of work to be done, and we welcome any ideas, suggestions or questions from AI members. Please feel free to get in touch with Hugh by e-mail elhugh@cityu.edu.hk or on 9836 4163. ■

死刑關注組五月出席了九龍公園的地球日。這是一個跟香港的環保團體建立聯繫的好機會。雖然我們的訴求有異，共同興趣仍是存在的。我們更希望日後會有多些合作機會。

組別於六月到珠海書院出席了一個講座，活動歡迎任何人士參加且反應良好，講解的資料引發了生動的辯論。死刑關注組歡迎其他團體邀請本會，就全球性的死刑問題舉辦類似的講座。

在國際特赦組織亞太區網站加入死刑網頁的工作持續。一些會員已就網頁的內容及表達方式提供建議，但仍有很多工作需要進行，歡迎會員繼續提出建議。您可透過電子郵件 (elhugh@cityu.edu.hk) 或致電 9836 4163 與 Hugh 聯絡。■



The 10th Human Rights Press Awards presentation ceremony was held on June 18, 2005. This year 305 entries were received, and the judges were encouraged by the high standard. Former AI prisoner of conscience and publisher of independent Malaysian news website "Malaysiakini", Steven Gan was the speaker. Photographs and a more detailed report will be published in the next issue. ■

第十屆人權新聞獎頒獎禮於2005年6月18日舉行。今年有共305份參賽作品，評判因作品的高水準感到鼓舞。前國際特赦組織良心犯及「當今馬來西亞」獨立新聞網站出版人顏重慶先生是頒獎禮的嘉賓講者。我們將於下期通訊作詳細之報導。■

Guantanamo and beyond: The continuing pursuit of unchecked executive power

關塔那摩灣之後：繼續追求 無限的行政權力

This new Amnesty International report published in May 2005, details how hypocrisy, an over-arching war mentality, and a refusal to adhere to international obligations continue to characterise the United States administration's approach to detentions in the "war on terror".

A year after the Abu Ghraib torture scandal broke, the conditions for torture and ill-treatment for those in US custody remain. While the US government is pursuing a public relations exercise to persuade the world that what the Abu Ghraib photographs revealed was a small problem that has now been fixed, thousands of detainees in US custody in Iraq, Afghanistan, Guantanamo Bay, and secret locations elsewhere remain at risk of torture or ill-treatment. This is because of America's continuing "pick and choose" approach to international laws and standards, and the systematic use of incommunicado detention and denial of judicial review, a basic safeguard against arbitrary detention, torture and "disappearance".

More than a year after the United States Supreme Court ruled that US courts have the jurisdiction to consider appeals from detainees held in the US Naval Base in Guantanamo Bay in Cuba, not a single detainee held there has had the lawfulness of his detention judicially reviewed. The report describes how the US administration continues to seek ways to block such a review, or at least to keep it as far from a judicial process as possible.

國際特赦組織在2005年5月所發表的報告裡，詳細敘述了美國政府持續地在「反恐戰爭」的拘禁政策中，充滿偽善、好戰的思想與拒絕遵守國際責任態度的一面。

在阿布格來被虐待醜聞揭發後的一年後，酷刑及虐待依然持續不斷地發生。雖然美國政府曾經進行了一連串的公關活動，試圖說明阿布格來照片中所顯示的僅是小問題，並已獲得改善，藉此希望淡化整個事件的衝擊。但是在伊拉克、阿富汗、關塔那摩灣及很多秘密地點裡，數千位美國看管中的被拘禁者仍然面臨被拷打和虐待的危險。這都是因為美國對國際法及國際標準選擇性地奉行；有系統地使用與外界隔絕的拘禁及拒絕進行司法覆核。而司法覆核更是一個防範任意拘禁、酷刑及『失蹤』的基本措施。

儘管在美國高等法院作出美國法院有權審視處理被關在古巴關塔那摩灣海軍基地拘禁者的上訴決定的一年多後，仍然沒有一位被拘禁者就其拘留的合法性得到司法覆核。國際特赦組織的報告中，敘述了美國政府當局如何持續地阻礙這個司法的過程，使得被拘禁者的案件盡量不可能進入司法程序。

報告裡包括了對戰士身份覆檢仲裁處的分析。這行政機關是美國當局寄望用來說服聯邦法院，接受作為替代司法覆核的。

這個報告同時分析了美國政府所提議給軍事委員會的審訊案件；被拘留於美國本土的『敵方戰士』（本身是美國人，但為敵方效力）個案；美國特工人員所執行的秘密轉移及拘禁活動；沙地阿拉伯聽命於美國而拘禁其公民的個案；及 Zacarias Moussaoui 個案，他因為被指控曾經參與引發「反恐戰爭」的2001年911事件，而面臨處決。

美國軍方的酷刑及虐待證據不斷的在累積。



AI United Kingdom's members protest against the detention in Guantanamo Bay. © AIUK
國際特赦組織英國分會之會員抗議在關塔那摩灣的拘禁

The report includes an analysis of the Combatant Status Review Tribunals — executive bodies which the administration hopes to persuade a federal court to accept as a substitute for judicial review.

It also examines proposed trials by military commissions; the cases of "enemy combatants" detained in the US; secret transfers and detentions by US agents; the case of a US citizen held in custody in Saudi Arabia allegedly at the behest of the US; and the case of Zacarias Moussaoui, facing execution for his alleged role in the September 11, 2001 attacks which sparked the so-called "war on terror".

Evidence of torture and other ill-treatment by US forces continues to mount. To date, not one US agent has been charged under the USA's Anti-Torture Act or War Crimes Act. While a few, mainly low-ranking soldiers have been tried by court-martial and others subjected to non-judicial or administrative sanctions, no member of the US administration has been subjected to independent investigative scrutiny, despite evidence that human rights violations have been authorised, and evidence that there was a high-level conspiracy to give immunity from prosecution to US agents accused of torture or war crimes.

The report also contains Amnesty International's initial response to the US

Government's report to the United Nations Committee against Torture, submitted on May 6, 2005. Amnesty also further examines America's official investigations into abuses, as well as recent revelations relating to deaths in custody.

Amnesty International continues to call for the US Congress to set up a full independent commission of inquiry into all of America's "war on terror" detention and interrogation policies and practices, including its involvement in secret transfers of detainees. It is also calling on the US Attorney General to appoint an independent Special Counsel from outside the Justice Department to conduct a criminal investigation into any administration officials against whom there is evidence of involvement in crimes in the "war on terror", including "disappearances", extrajudicial executions, and torture and other cruel, inhuman or degrading treatment.

For a copy of "Guantanamo and beyond: The continuing pursuit of unchecked executive power", please see: <http://web.amnesty.org/library/Index/ENGAMR510632005>

For more information on Amnesty International concerns about human rights violations committed in the context of the "war on terror", please see: "USA: Human dignity denied — Torture and accountability in the 'war on terror'", <http://web.amnesty.org/library/Index/ENGAMR511452004> ■

至今天，仍沒有一位美國的官員被指控違反美國本身制訂的反酷刑和戰爭罪刑法。雖然有少數低階軍人曾經接受軍事法庭審判及受到其他的非司法或行政制裁，而且有充分證據顯示這些違反人權的行為其實是經由高層指示，並有證據顯示存在著高層間的秘密協議，讓這些被指控虐待及戰爭犯罪行為的人員無罪開脫，然而卻沒有任何一位美國政府官員需要接受有關這個醜聞的獨立調查。

這個報告同時提出了國際特赦組織對於美國政府向聯合國反酷刑委員會於2005年5月6日所提出的報告的初步回應。國際特赦組織更進一步地審視了美國所發表的有關濫刑、以及在拘禁中死亡案件的正式調查。

國際特赦組織持續呼籲美國國會儘快設立一個獨立調查委員會，審視美國在「反恐戰爭」中執行的拘留及盤問政策和手段，包括被拘禁者的秘密轉移。組織同時呼籲美國司法部長指派一位律政部以外的獨立律師，針對有證據顯示有參與「反恐戰爭」中出現的「失蹤」、法外處決、酷刑以及其他殘酷、不人道或有辱人格對待的行政當局官員進行刑事調查。

如果需要一份「超越關塔那摩灣：繼續追求無限的行政權力」報告，請瀏覽網站：
<http://web.amnesty.org/library/Index/ENGAMR510632005>

其他有關國際特赦組織對於「反恐戰爭」中的違反人權狀況的報告，請參閱 "USA: Human dignity denied -- Torture and accountability in the 'war on terror'", <http://web.amnesty.org/library/Index/ENGAMR511452004> ■

Women carry the burden in the Occupied Territories

以色列佔領區的婦女背負重擔

"I crawled behind a concrete block by the checkpoint to have some privacy and gave birth there, in the dust, like an animal. I held the baby... she moved a little but after a few minutes she died in my arms".

「我在檢查哨附近的水泥塊下緩慢爬行，為了要找到一處隱密的地方，並生下孩子，我在土堆裡，就像動物一樣。我抱著我的孩子...，她稍微動了一下，但幾分鐘後就死在我的懷裡。」

Severe restrictions on the movement of Palestinians in the Occupied Territories have had tragic consequences for women and girls. In August 2003, Rula Ashtiya (quoted above) was forced to give birth on a dirt road by the Beit Furik checkpoint, in the West Bank, after Israeli soldiers refused her passage from her village to the nearby town of Nablus.

In December 2004, Bayan Hussein-Ali gave birth in an ambulance at a checkpoint near Nablus after being delayed by Israeli soldiers in the middle of the night. The ambulance was not allowed to pass through the checkpoint so a second ambulance was called to collect her from the other side of the checkpoint. Known as the "back-to-back" method, this is how merchandise — and often patients — are transported through Israeli army checkpoints.

Such experiences demonstrate the vulnerability of women to a system of control that discriminates against Palestinians in the Occupied Territories. Subject to an increasingly sophisticated system of blockades and checkpoints, 3.5 million Palestinian women, men and children are prevented from moving between towns and villages, and are often confined to their homes. As a result, they are denied access to work, education and adequate health care.

Under siege and under strain, the potential for increased family violence, including sexual abuse, is heightened. Unprecedented levels of poverty and

對佔領區的巴勒斯坦人的嚴格行動限制，已對婦女及女童造成悲慘的後果。在2003年8月，Rula Ashtiya（上引述者）在以色列士兵拒絕她由所住村落到附近納布盧斯城鎮後，在西岸Beit Furik檢查哨一條泥濘路上被脅迫分娩。

2004年12月，Bayan Hussein-Ali於半夜被以色列士兵滯留後，在納布盧斯附近檢查哨的救護車上分娩。檢查哨士兵拒絕讓這輛救護車通過，最終由另外一輛救護車來將她從檢查哨的另一邊接走。這種被稱做「緊接著」的方法，是貨物或者通常是病人被運送通過以色列軍事檢查哨的方式。

這樣的經驗顯示，對佔領區巴勒斯坦人歧視的管制體系下，婦女很容易受到傷害。受這個愈來愈繁複的封鎖與檢查體系管制，有三百五十萬名巴勒斯坦婦女、男子與兒童，被阻止在村落與城鎮間流動，並經常是限制他們只能待在家裡。結果，他們無法獲得工作、受到教育以及醫療。

在侵襲與緊張之下，包括性虐待在內的家庭暴力，有潛在升高的危機。以色列軍方強加的限制，造成史無前例的貧窮與高失業率，而衝突的不斷軍事化，也加劇了巴勒斯坦社會已存在的性別不平等問題。

因為家庭中男性家人無法履行作為預期的負擔家計者角色，使得婦女首當其衝地承受他們因為覺得受羞辱而產生的憤怒與挫折。

當外在的威脅愈大，婦女就

unemployment caused by the restrictions imposed by the Israeli army and the increased militarization of the conflict have aggravated existing problems of gender inequality in Palestinian society.

Women have borne the brunt of the anger and frustration of male relatives who feel humiliated because they cannot fulfill their expected role as providers.

The greater the external threat, the less opportunity women have to confront internal issues within Palestinian society, especially those considered as private matters concerning family "honour". Those who do seek help are thwarted by ineffectual laws that discriminate against women and give little or no protection to victims of family violence. Restrictions on movement further exacerbate matters.

In September 2004, Maha, a young woman from northern Gaza, was forced to drink poison by her father when he discovered that she was pregnant. Efforts by women's rights activists, hospital staff and local officials were hampered because the Israeli army had just launched a major operation and had completely sealed the area. Maha died.

For women and girls who are at risk of being killed by their families, leaving their immediate surroundings, even for a short period, is often the only effective solution. However, as one non-governmental organization (NGO) worker told AI: "In the past few years getting to the victims and getting the victims out of the danger area has been very difficult and at times totally impossible. These military blockades, curfews and checkpoints have caused the death of some women who could have easily been saved".



A pregnant woman waits for an ambulance to collect her at the Jubara checkpoint near Tulkarem, West Bank, 2004 © MACHSOMWATCH
一位孕婦在西岸近圖爾坎熱的Jubara檢查哨等候救護車將她接走，2004年

愈少有機會面對巴勒斯坦社會的內部議題，特別是那些被認定是私人事務的家庭「榮譽」。那些尋求協助者，受到那些歧視婦女及無法保護家暴受害者的無效法律所阻撓。限制行動更強化了這些問題。

在2004年9月，一名來自加沙北部的年輕女子Maha，在她的父親發現懷孕後，被強迫她喝下毒藥。因為以色列軍方正展開一項大規模的行動並封鎖該地區，女權份子、醫院人員以及地方官員的努力遭到阻礙。Maha不治身亡。

對於身處遭家人殺害危險的婦女及女童來說，離開他們所處的環境，即使是短暫的時間，也經常是有效的解決辦法。然而，如同一名非政府組織工作者告訴國際特赦組織說：「在過去這幾年間，要找到受害者，並且讓受害者離開危險的地方，總是非常困難，而有時候幾乎是不可能。這些軍事封鎖、宵禁以及檢查哨，已經造成許多原本可以輕易挽救的婦女身亡。」

Nepal: Rights must be restored along with the lifting of the State of Emergency

尼泊爾：隨著緊急狀態的解除，人權必須儘快回復

Following the lifting of the state of emergency in Nepal by King Gyanendra in May, Human Rights Watch, Amnesty International, and the International Commission of Jurists have called for the restoration of all fundamental rights formally suspended under the state of emergency.

The three organisations pointed out that the lifting of the state of emergency occurred almost simultaneously with the publication of an order by the Kathmandu District Authority against public gatherings, meetings or any kind of protest programmes in public spaces and on roads. Since the lifting of the state of emergency local officials have also reportedly been given the authority to intervene in any "political programme" that involves more than two people.

The three organisations also pointed out that the Terrorist and Disruptive Activities Ordinance (TADO), with its draconian provision which allows for up to one year of incommunicado detention, still remains in effect.

On February 1, the King seized effective control of all levels of power in Nepal. All fundamental constitutional rights, including freedom of assembly and expression, the right to information and privacy, the right to property and the prohibition against arbitrary detention were suspended. In the nearly 100 days since then, Nepal has witnessed ongoing muzzling of journalists and the detention of hundreds of political leaders and activists, as well as a dramatic increase in violence and killings across the country.

While several senior political leaders have been released, hundreds of other party officials are still in jail, including 175 whose detentions were extended for another three months. Human rights activists continue to receive threats and face the possibility of arrest. Nepal's National Human Rights Commission continues to be

隨 著國王賈南德拉於2005年5月解除尼泊爾的緊急狀態，國際特赦組織、人權觀察及國際法學家委員會呼籲恢復所有在緊急狀態下被正式暫停行使的基本人權。

三組織指幾乎在解除緊急狀態的同時，加得滿都市政府發表了一份禁令，禁止任何公眾的聚集、集會或任何的在公眾場所及道路舉行抗議活動。同時，據說地方政府官員也被授權介入任何兩個人以上的「政治活動」。

三個組織同時指出，一個可以將違反者拘留至一年並禁止與外界聯絡的恐怖及破壞活動條例條例依然生效。

在今年的2月1日，國王收回了尼泊爾政府所有層次的控制權。原本被憲法所保障的基本人權：包括集會、表達、知情、個人隱私、個人財產；以及禁止任意拘留的權利均被暫停行使。在那之後的一百天內，尼泊爾全國見證了新聞記者被騷擾；數百名政治領袖及活躍份子被拘留；以及不斷增加的暴力和殺害事件。

雖然，有多位資深的政治領袖已經被釋放，但是有數百位政黨官員仍然被拘留於監獄，當中175位將被多拘留三個月。同時，人權份子持續地受到威脅，並面臨逮捕的可能。尼泊爾的人權委員會依然不獲准探視軍方拘留設備，他們只能透過事先申請的方式進入警察機關視察。

國際特赦組織相信，能否讓新聞記者、律師及人權捍衛者自由地工作，將是尼泊爾國王的一大考驗。如果過去充滿活力的尼泊爾公民社會再持續地被鎮壓，解除緊急狀態將完全失去任何意義。

尼泊爾國王賈南德拉宣稱，他接管的理由是因為政黨在過去九

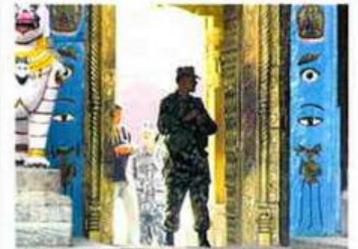
denied access to military barracks, and is only permitted access to police stations with advance notice.

Amnesty International believes a key test for the king is whether he will now allow journalists, lawyers, and human rights defenders to operate freely in Nepal. If the country's once vibrant civil society continues to be suppressed, the lifting of the state of emergency will be meaningless.

King Gyanendra justified his takeover by blaming Nepal's political parties for failing to address the nine year conflict between often brutal Maoist insurgents and government forces. Since the war began in 1996, more than 11,000 people have been killed, many of them at the hands of Nepal's security forces, in particular the Royal Nepal Army. In 2003 and 2004, the United Nations Working Group on Enforced and Involuntary Disappearances stated it received more reports of disappearances at the hands of the Nepali government than from any other country.

The king's announcement of the lifting of the state of emergency came on the heels of his first official visit abroad since he seized power. Immediately after his meeting with Indian Prime Minister Manmohan Singh in Jakarta in April, Nepal's Royal Palace press secretariat announced that India would resume its military aid to Nepal. Since then, however, the Indian government has retreated from this position, and stated that the resumption of military aid is under review.

Human Rights Watch, Amnesty International, and the International Commission of Jurists believe that the lifting of the state of emergency may be a tactical ploy by the king to convince India to resume its military aid. However, without specific and direct action by the king to an immediate return to full democratic, constitutional rule, this could simply turn out to be a cynical attempt to convince India and others, such as the United States, to resume their aid. ■



Security forces guard the entrance to the Hanuman Dhoka Palace during the state of emergency. © AI
在緊急狀態期間，保安部隊守衛著哈努曼多卡宮的入口。那處是旅遊熱點。

年間未能處理好殘暴的尼泊爾共黨叛軍跟政府軍的衝突。自從1996年戰爭開始後，超過11,000人被殺害，很多是死於尼泊爾保安部隊的手中，特別是皇家尼泊爾軍隊。聯合國「迫害及非自願失蹤工作小組」報告指，他們在2003及2004年裡收到來自尼泊爾有關失蹤的報告比任何一個國家多。

賈南德拉國王在他接管後第一次出國訪問的前夕，宣布解除緊急狀態。賈南德拉國王與印度總理莫哈默辛於4月23日在雅加達會面後，尼泊爾的皇宮新聞秘書宣布印度將恢復與尼泊爾的軍事協助。但是在消息發佈以後，印度政府已經正式回收了他們的立場，宣稱正在重新考慮恢復軍事協助的決定。

國際特赦組織、人權觀察及國際法學家委員會相信，宣布解除緊急狀態的命令可能是賈南德拉國王用來說服印度恢復軍事協助的策略之一。但是在沒有國王特定和直接恢復過去民主憲政的行動下，這種可恥的做法，只能算是一個寄望印度和其他國家，例如美國，回復給予尼泊爾援助的嘗試。 ■

Words from the new director 新總幹事寄語

I am the new Director of the Amnesty International Hong Kong Section, and would like to take this opportunity to say hello to you all. The Hong Kong Section is growing and many of you may be new members of our international body. Like you, I am a newcomer. At the time of writing, I have only been in office for three weeks. Although this greeting can only be brief, I will take other opportunities to communicate with you later.

大家好，我是新任的香港分會總幹事。香港分會會員人數不斷增長，我相信有部份會員和我一樣是國際特赦組織的新成員。當我執筆之際，剛上班三星期，所以可說的不多，以後有機會一定再和大家談談香港分會的工作。

It is my privilege to be the Hong Kong Section Director at a time when the section is undergoing a metamorphosis, with significant membership expansion and a growth in staff numbers. The changes will be both exciting and testing for the executive committee, staff, volunteers and members.

Hong Kong has been blessed with many advantages: it is thriving, cosmopolitan, educated and wealthy. Many of us may be complacent about having a "good" record in human rights protection with a government that observes international rights standards. However, the discussion over the enactment of the Sexual Orientation Discrimination Ordinance shows us otherwise. In order to promote the AI mission, we must broaden our membership base of local Chinese. What we need is not only a membership in number but also in depth in its involvement.



A significant move for the purpose is to build up a staff team for campaign work. Such a professional team can integrate and deepen the good work of our dedicated members and volunteers, and enhance the impact of Amnesty in HK. Human rights education must be the main priority of the campaign team. It is the essential anchor of a strong and sustainable membership.

Ongoing advocacy work with impact in the community cannot be sustained by one organization. AI will continue to cultivate partnerships with local human rights organizations to strategically pursue our agenda.

Since AI is a worldwide volunteer movement, it is our responsibility to update members on international human rights issues in the region and internationally. I strongly believe a solid membership can only be sustained by work which members can identify with and be proud of. This will be the foundation of my directorship of the section.

Besides membership building and campaign work, reshaping the structure of a growing organization is my priority. Effective change does not come easily. Yet with tolerance, understanding, and a shared mission, it is not as hard as sometimes believed. My 20-odd years in a rapidly changing non-governmental sector has prepared me well for this area of work.

If you have any suggestions for how the section's work can be developed, please let me know. I look forward to hearing from you.

Sandra Wong

我非常榮幸能在香港分會大事擴展會員和職員數目時成為分會總幹事。這番改變對執行委員會、同事、義工和會員都帶來一定的衝擊和挑戰。

香港是一個國際都會，社會人士的教育程度普遍比較高，而且相對東南亞國家比較富裕。我們可能覺得香港政府在保障人權方面的基本工作也做得不錯，大致上都尊重國際權利的準則，但最近政府和社會在性傾歧視立法的討論使我們十分失望。使我們明白，如國際特赦組織希望它的信念能在香港普及，我們必需吸納更多會員包括中國人士為會員。會員人數固然重要，但更重要的是會員的參與性。為了增強會員參與，分會決定成立一隊由職員組成的推展運動隊伍。此專業隊伍會把分會義工一直以來的工作更廣泛及更深入地紮根在香港。推展運動隊伍的首要工作是人權教育工作，它是維繫一群強而穩健會員的重要基石。

長線的社會倡議的工作不可能是由一個機構獨力承擔，香港分會會繼續和其他團體組成策略性伙伴，使人權的訊息能傳揚得更闊更廣。

作為國際組織的分會，我們是有責把區內和國際上重要的人權實況帶給香港社會。我深信維繫會員最佳的辦法是我們的工作得到會員認同和讚賞。作為分會總幹事，我會以此作目標。

除了倡議工作和會員事務，我另一重要工作是協助機構架構上能成功轉形以迎合現時分會的新方向。改變雖然不是易事，但只要耐性，多包容和有共同信念，改變也並非難事。我本人在非政府機構的二十多年工作經驗給我信心面對現時的挑戰。

如果您對分會的發展方向有任何建議，歡迎與我聯絡。我期望聽到您的聲音。 王景兒

MEXICO: Environmental activist imprisoned 墨西哥環保份子遭監禁

Felipe Arreaga, a prisoner of conscience and activist, is facing an unfair trial for a murder committed in 1998.

Felipe Arreaga is a leading member of the Organización Ecológica de la Sierra de Petetlan (OCESP), which has campaigned peacefully against deforestation due to illegal logging operations run by local caciques (political leaders), who reportedly have links with officials in the State of Guerrero.

He was arrested in Petetlan, Guerrero State, in November 2004. AI believes charges against him are politically motivated to deter the work of environmentalists, including that of his wife who leads the women's environmental organization, Organización de Mujeres Ecológicas. In relation to the same case, arrest warrants were issued, but not yet enforced, against 14 other members of OCESP.

There are many irregularities in the case against Felipe Arreaga. He is accused of murdering the son of a local cacique in 1998, but he produced three witnesses to back claims that he was receiving medical treatment in another state at the time. A key prosecution witness

testified in court that he had been coerced by a cacique and a judicial police officer into implicating Felipe Arreaga and others in the murder.

Investigations into the murder - witness statements and forensic examinations - were not conducted until 2000. One of the accused, identified by the two prosecution witnesses, had died in 1996. Another was a child at the time of the murder.

Despite the weakness of the evidence against him, Felipe Arreaga will remain in custody during a trial which may last more than a year and which could result in conviction for a crime he did not commit.

Please write to the recently elected governor of Guerrero State, who has promised to ensure that there are no prisoners of conscience in the State, calling for the immediate and unconditional release of Felipe Arreaga, and for his safety and that of his family to be guaranteed. Call for the arrest warrants against the 14 other former members of OCESP to be suspended and for there to be an impartial and thorough investigation of the original murder in 1998. ■

Felipe Arreaga is a conscientious and active citizen, because of 1998 he committed the murder case, facing an unfair trial.

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申訴書請寄 Send appeals to:

Governor of the State of Guerrero
Zeferino Torreblanca Galindo
Palacio de Gobierno, segundo piso, Plaza Central
Primer Congreso de Anahuac, Colonia Centro
Chilpancingo 39000, Guerrero, Mexico
Fax: + 52 747 47 23125

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'Write more!' urges former prisoner of conscience

「寫多些信！」前良心犯敦促著

“You cannot imagine how much AI meant to us,” said Anwar Ibrahim, former Deputy Prime Minister of Malaysia and freed prisoner of conscience. “The immense contribution of AI is indescribable.” Addressing AI staff and volunteers in London, he thanked the movement for supporting him during his six years of imprisonment on politically motivated charges.

Anwar Ibrahim was arrested under the Internal Security Act in September 1998, three weeks after being dismissed from his government post. “They stormed my house, broke open the door,” he said. Outside, scores of members of the media were waiting for him. “It was a show of force,” he explained. “If we can treat Anwar like this then the rest cannot be saved.” His dismissal, following policy disagreements with then Prime Minister Mahathir Mohamed, had sparked a series of public demonstrations calling for political and social reform.

A source of hope

Held in solitary confinement and beaten by the then national police chief, Anwar Ibrahim initially had limited access to his family. His wife, Dr Wan Azizah, and children were allowed just one 40-minute visit per month. Years later this increased to weekly visits. Prohibited from bringing notes or writing materials with them, Wan Azizah — and even the children — had to memorize summaries of the numerous statements and letters written in support of his case. His lawyers smuggled in written statements on their weekly visits. The information, he said, was “a major boost and spiritually uplifting.”

Sentenced to a total of 15 years' imprisonment after unfair trials, Anwar Ibrahim was released in September 2004 after Malaysia's highest court overturned his conviction. He is currently spending time outside Malaysia, lecturing at universities in the USA and UK. But this is not out of free choice. “They [Malaysian authorities] have

used the courts to deny me holding public office until 2008,” he said. “They have taken away my car, my pension. There is no possibility of getting a job.”

Despite such restrictions, he remains a leading public figure in Malaysia. His visits to local areas have prompted thousands to turn up, unannounced, to speak to him. Though not active in formal politics in Malaysia, he is determined that this should change in the future. “I will certainly return,” he said, “because if I do not — avoiding the risk in the political scene in Malaysia — then I am surrendering to them.”

No real change

Anwar Ibrahim's arrest and detention sparked unprecedented public protests in Malaysia, many of which were forcefully repressed.

They unleashed thousands of appeals worldwide. But Anwar Ibrahim stressed his release is by no means an indication of a real change in government thinking or its record on human rights.

“The judiciary remains the same as it was before,” he said. “We [also] have thousands of migrant workers imprisoned in Malaysia — caned just because they are migrants... They are not our slaves and they shouldn't be treated as such.”

Despite reports of human rights violations being routinely ignored by the government-influenced media, statements issued by AI and other human rights organizations asking for Anwar Ibrahim's release were still disseminated across the country.

Appeals sent by supporters worldwide make a vast difference, said Anwar Ibrahim, even if they never reach the ear of the public. “They [government ministers] read the letters. It annoys them,” he said. His message to supporters is clear: “Write more, affect them more!”



Anwar Ibrahim holds the first Worldwide Appeal calling for his release, published in Amnesty International News, November 2000.

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安華手持國際特赦組織2000年11月為呼籲釋放他而首次發出的全球性聲援

「你無法想像國際特赦組織對我們多重要，」前馬來西亞副總理，也是獲釋的良心犯安華如此說著。「國際特赦組織的重大貢獻無法形容。」在倫敦對國際特赦組織的工作人員以及義工演說時，安華感謝國際特赦組織在他被以政治目的起訴而遭監禁的六年當中，給他的支持。

在被解除政府職位的三個星期之後，安華在1998年以內安法被拘捕。他說：「他們破門而入。」在外面有數十名媒體記者在等著他。「那是在展現實力，」「如果可以這樣對待安華，那麼剩下的人就沒輒了。」他解釋說。安華在與馬哈蒂爾總理政策相左後遭解職，卻引發了一連串的公眾示威，要求進行政治與社會改革。

希望的泉源

安華遭到當時警署署長隔離監禁及毆打，起初並限制他與家人見面。他的妻子 Wan Aziza 博士與兒子被允許每個月只能見他40分鐘。幾年後才增加為每週的探訪。因為禁止帶便條或文字資料給他，Wan Aziza 甚至是他的孩

子，都必須記下聲援他案件的信件摘要念給他知道。他的律師在每週的會面中夾帶書面的訊息給他。他說這些訊息是「一項重要的鼓舞及精神上的振奮」。

安華在不公的審判之後，被判處總共15年的徒刑，而在馬來西亞最高法院推翻其罪名後，於2004年9月獲釋。他現在把時間花在馬來西亞國外，分別在美國及英國的大學講學。但這不是出於自由的選擇。「他們（馬來西亞當局）利用法院拒絕我返回公職至2008年為止，」他說。「他們拿走我的車子還有退休金。我不可能找到工作。」

雖然有這些限制，他仍然是馬來西亞領導性的公眾人物。他未經宣布地到地方上的參訪，卻造成數千人站出來想與他說話。雖然他現在沒有積極參與馬來西亞的政治，但他卻決心在未來要讓政治有所改革。他說：「我必定再回來。如果我不回來，想逃避馬來西亞的政治風險，那麼我就是向他們投降。」

沒有真正的改變

安華的被捕與拘禁，引發了馬來西亞前所未有的公眾示威，而其中多次都受到強勢鎮壓。這些行動得到來自世界各地的成千上萬的聲援。但安華強調，他的釋放不意味著政府思維的真實改變，或者人權記錄的改善。

「司法仍像以前一樣，」他說。「我們（也）有數千名外勞在馬來西亞遭監禁，他們被打藤，很可能只是因他們是移居者...他們不是我們的奴隸，而且也不該被如此對待。」

雖然受政府控制的媒體總是不理會人權侵犯的報導，但由國際特赦組織或其他人權團體發佈要求釋放安華的聲明，仍然傳遍馬來西亞境內各地。

安華說，國際特赦組織在世界各地支持者所發出的聲援，縱使公眾無法得知，卻產生了很大的效果。「他們（政府部長）是會讀這些信件的。這些信惹惱了他們。」他說。安華給支持者的訊息很清楚：「多寫一點，對他們影響多一點！」