

HR

# 人權



國際特赦組織香港分會  
Amnesty International  
Hong Kong

## 全球呼籲以軍真主黨停火 Global Call for Ceasefire



與弱勢同行—甘浩望神父專訪  
An Interview with Father Mella

2006年九月號 September 2006

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 香港九龍渡船街32-36號富利來商業大廈3樓D室  
 電話 Tel : (+852) 2300 1250  
 傳真 Fax : (+852) 2782 0583  
 網址 Web: <http://www.amnesty.org.hk>  
 電郵 Email : [admin-hk@amnesty.org.hk](mailto:admin-hk@amnesty.org.hk)

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# 人權無疆界

今個夏天，不論對香港，對全世界，也是「多事之夏」。

以色列、黎巴嫩的局勢，全球觸目。以軍與真主黨持續互相轟炸，甚至摧毀民用設施，以平民為攻擊對象，雙方的傷亡不計其數，而且，這是戰爭罪行。

面對中東嚴峻的局勢和人道危機，全球牽起一連串要求停火的聲音，各地的國際特赦組織分會成員，包括我們香港分會的成員及廣大市民，一起為戰火中的人民送暖；在燭光晚會上，我們可以看到，不分種族膚色的人，只為維護人權和人道力量而聚集起來，要求停止這場毫無意義的衝突。

若把視線放回香港，即使我們遠離戰火，社會上卻出現種種暗湧。來港尋求庇護人士的權益不單未受保障，生活陷於極度貧困中，而且一些更被拘留，再度失去自由。但我們未曾灰心，一群與他們素未謀面的熱心市民，為這群被遺忘的異邦人奔波，只為爭取公義，那是不分種族國界的。

由此可見，香港雖是彈丸之地，但面對很多世界上的問題時，我們並不冷漠。我們仍可看到不少人打破國籍身份的界限，為被遺忘的一群默默耕耘，甘浩望神父就是一個好例子。他遠從意大利來港幾十年，一直為最邊緣的社群爭權，本會有幸訪問他，希望讀者也能從中得到啟發。日後我們亦會向大家介紹不同的本地維權人士，讓大家更了解人權的精神是什麼。

七一遊行當天，遊行人士經過本會的攤位，也注視我們展示出世界各地因為維護人權而被囚禁的良心犯。不少熱心人士也加入了我們，一起為遊行隊伍宣揚人權的可貴。這個夏天，我們不單看到世界之亂，也看到溫暖。人權不分疆界，在此感謝每一位曾為世界各地被遺忘的良心犯和戰火中的人們送上關懷的您們。

This is a summer full of unrest. In the Middle East, bloodshed and destruction in the violent conflict between Israel and Hizbullah has taken away a lot of civilian lives in both Lebanon and Israel. Indiscriminate and disproportionate attacks against civilians on both sides not only create humanitarian crisis, but also constitute war crimes. AIHK, in response to the global appeal, invited the members of public in Hong Kong to join our vigil to show solidarity and support to the victims in the war zone, and to call for ceasefire immediately.

Back to Hong Kong, though we are far away from the conflicted areas, human rights are not without threats, especially for the vulnerable groups. A number of asylum seekers were detained by the Immigration Department in this summer. Most of them are living in extreme poverty without any assistance and support from the SAR government. Their hardship further strengthens our determination to ratify the Refugee Convention 1951, and to fight for justice and human rights on behalf of them, no matter their race and nationality.

Human rights are without border. From an interview with Father Mella, a priest from Italy but has been walking hand-in-hand with the vulnerable in Hong Kong for decades, he shows us his perseverance to be a human rights defender for those who suffer, even though they are of a different colour. Starting from this issue, AIHK will invite a series of local human rights defenders to share with us their stories. We believe both you and I will be inspired by what they have done, and what human rights spirit is. Let us take this opportunity to extend our gratitude to all human rights defenders and those who support them.



筆者從灣仔乘電車到中環，只見沿途的警察「三步一哨，五步一崗」——當日正值六月二十六日，人大就居港權釋法七周年，爭取居港權的家長正遊行到中環政府總部。是次訪問的主角甘仔，受訪時正是他一年一度在終審庭外絕食抗議的第三天。

居權運動除觸發了人大首次解釋《基本法》，也令香港人認識了甘浩望神父（甘仔）。出生於意大利的甘仔，一九七四年來到香港，並且一直視自己為中國人。遠道而來，原因很簡單：「我想來中國，學習為人民服務的精神。」

受著意大利左翼思潮的影響，加上作為一名解放神學的信徒，甘仔在意大利神學院畢業後就想跑到中國，可惜卻未能如願。由於當時內地仍未開放，甘仔進不了中國，就落戶香港，在這個說廣東話的殖民地城市，繼續為人民服務的心願。十七年後（一九九一年），甘仔才能正式踏足內地，但卻大為感嘆：「（在內地）有很多經濟口號，但精神上卻令人失望。」

## 文化工作的重要性

多年來街頭行動的經驗，使甘仔看到公眾教育對爭取權益的重要性。有時在街上有人認出他，就會不屑地說：「這個神父是幫人拿綜援的！」甘仔認為，政府製造的輿論令問題惡化。

「大家都接受了政府的說法，有些市民不太明白，只會覺得爭取權益是搞事者所為，也忘記了自己也是來自內地的。」

為抗衡主流論述，消除公眾偏見，活躍於居權運動的人士就成立了「居權大學」，大搞文化、公眾教育活動。甘仔從背包掏出一份「居權日報」，贈予筆者，並徐徐說道：「文化工作是十分重要的，這能使人知道甚麼是『公平』、『人權』。」

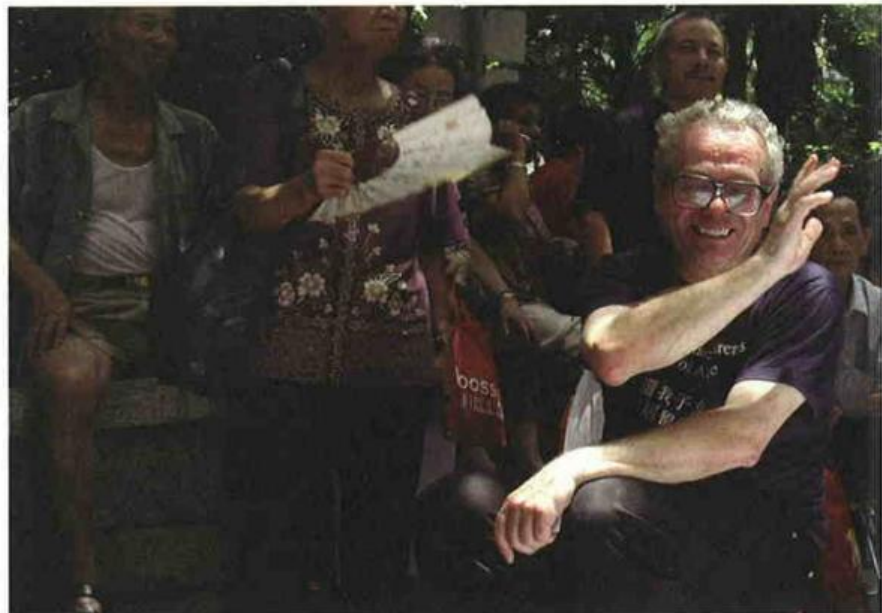
## 只要有意思的事，就應該去做

做人權工作時常會自問，做甚麼才會「有用」、「有效果」，例如：示威每日都有，應該用甚麼方法才能爭取更多媒體報道？一個聚會的參加人數只得兩、三個，到底值不值得舉辦？國際特赦組織常常呼籲公眾寫信爭取釋放良心犯，但很多香港人都常會問：「這到底有沒有用？」甘仔對這個問題，答得相當斬釘截鐵：

「寄信、靜坐你覺得可能有用，要上天橋先有用，但（寄信、靜坐）是有意義嘛，這代表我們堅持到底。」

「爭取廢除死刑也是一樣。簽名未必影響到中國政府，但是有意思嘛，香港人習慣了「有用」才做，但其實有意思也非常重要。」

# 與弱勢者同 ——專訪甘浩望 Hand In Hand with Vulnerable – Father



## 窮人對正義的渴求在推動著我

社會運動需要透過長期的爭取，有時甚至是「進三步，退兩步」，數年的爭取到最後可能仍然無法改變現狀，令人心灰意冷。有甚麼令甘仔幾十年來仍能堅持下去，到現在每年「六·二六」都從內地回港絕食，以示抗議？

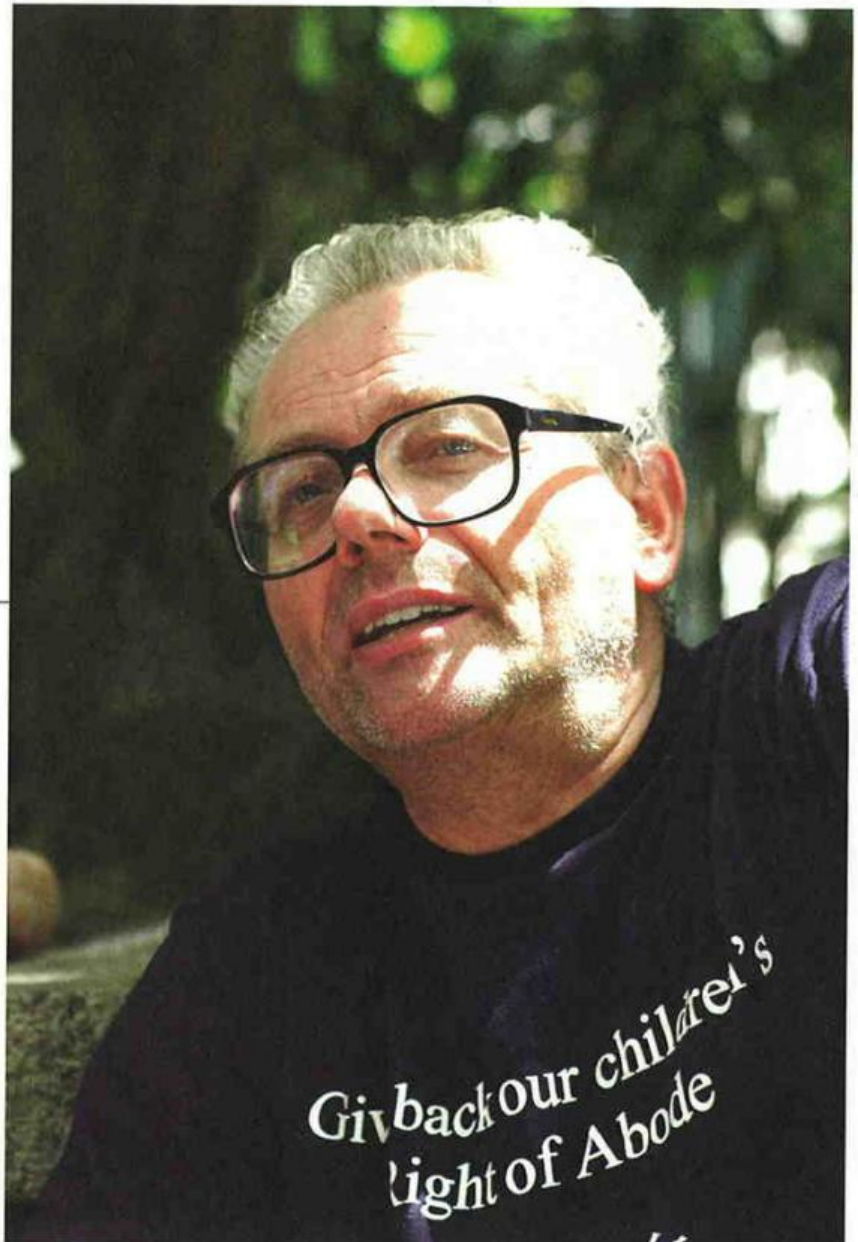
「神的力量通過人民支持著我；窮人、受壓迫者尋找正義的渴求，鼓勵著我們爭取。」



## 後記

整個訪問過程，都在喧鬧的示威聲中完成，亦由於甘仔多次被邀請向群眾發言，所以不得不斷斷續續地進行。在等候甘仔發言期間，有很多在場的爸爸媽媽急著向我這個揸着相機，貌似記者的人，訴說自己的情況，仿佛有說不完的故事。

# 行—— 望神父 the Franco Mella



Born in Italy, Father Mella arrived in Hong Kong in 1974 and has always considered himself Chinese. Heavily influenced by leftist Italian thinking and liberal theology, he resolved to come to China for a very simple reason: to learn to serve the people. But he was refused entry into mainland China until 1991, when he first laid his foot across the border. He remarked with exclamation, "the mainland is drowned by economic slogans but on a spiritual level it is disappointing."

Despite public criticism, he has established a 'Right-of-Abode University' and out of his own pocket financed a right-of-abode daily newspaper promoting public cultural education, which he says is necessary for people to understand fairness and 'human rights.' "The public had blindly accepted the right-of-abode seekers were troublemakers and forgotten that they themselves were from the mainland as well, which necessitated cultural education," Father Mella said.

In working for human rights, it is inevitable to feel frustrated about the ineffectiveness and doubt the point of such work. As many people would ask, how effective is the appeal to the

general public to write letters calling for the release of political prisoners? His answer hit the nail on the head. "Writing letters and sit-ins may not be useful, but they are meaningful—they represent our perseverance. We don't just do useful things which yield results. We do meaningful things, as Jesus Christ said."

On 26th June 2006, the seventh anniversary of the interpretation of Basic Law on the right of abode issue, amidst the procession of right-of-abode seekers, Father Franco Mella was on his annual four-day hunger strike outside the Court of Final Appeal. When asked about his motivation behind his perseverance over the last couple of decades in fighting for many causes in vain and overcoming the frustration, he said, "the poor and the quest for justice by the oppressed encourage us to carry on."





# 以軍及真主黨必須立

# CC



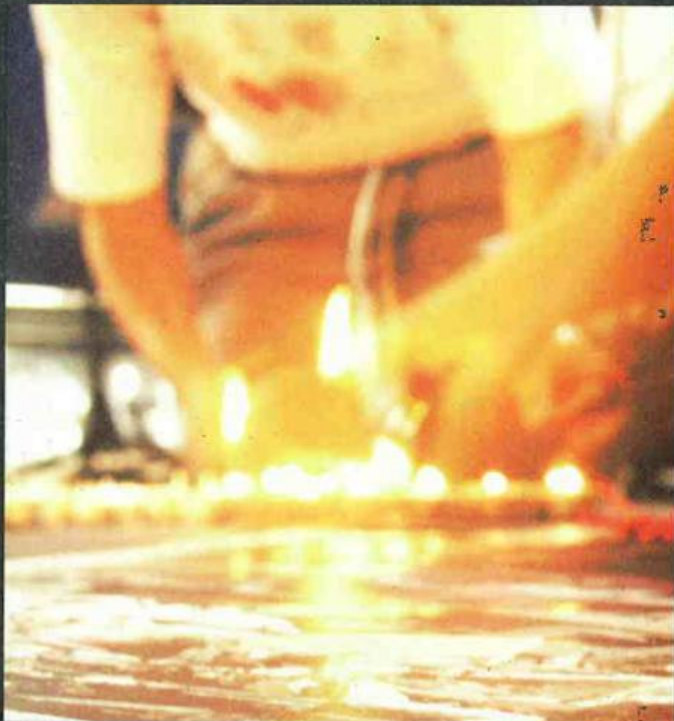
以色列與真主黨的武裝衝突已持續了一個月，造成千多名黎巴嫩平民和四十一名以色列平民身亡，觸發嚴重人道危機，並違反國際人道和人權法。令國際社會義憤填膺的是雙方襲擊並非限於軍事目標，而竟殃及池魚，襲擊平民目標和破壞民用基本設施，造成無辜百姓傷亡，九十萬平民，即黎巴嫩人口的四分之一流離失所，而唯一逃離黎巴嫩至敘利亞的出路被以軍封鎖，令人道救援物資未能送到黎巴嫩平民百姓手中，他們被困於戰火中，連滿足基本生活需要都成問題。

襲擊平民目標與發動任意、毫無選擇性和不相稱的攻擊是戰爭罪行。本會響應全球呼籲，於八月七日在尖沙咀天星碼頭舉行燭光晚會，要求以軍及真主黨雙方立即停火，並為衝突中的以色列及黎巴嫩死傷者默哀。集會中，國際特赦組織成員先為衝突中的死難者默哀，並以白色蠟燭砌成「停火」二字，除了帶出停火的訊息外，更象徵在戰區中為人民照亮通往和平之道。此外，成員亦為市民蓋上和平印章及派發「同心結」，以華人的方式表達上下一心追求和平的意思。「同心結」更是含有『和合、平安、團結』的訊息。我們希望藉由製作及派發中國繩結，發揮人道精神，傳揚和平訊息，為以黎戰區中的無辜平民送上關懷。

對於被困的黎巴嫩平民，國際特赦組織向全球一百八十萬會員展開一個緊急行動，呼籲他們寫信致以色列國防部長阿米爾·佩雷茨，要求採取緊急措施以確保為黎巴嫩南部平民提供一條安全通道，確保現今被困的十二萬平民能收到人道救援物資。國際特赦組織已分別派出兩隊獨立調查團前往黎巴嫩及以色列，以進行一個對當地情況的獨立調查。國際特赦組織亦呼籲聯合國人權理事會採取更積極的方法停止侵犯人權的行為，並要求聯合國秘書長成立一個綜合、獨立、公正的專家調查組，調查是次衝突中各方違反國際人權法和人道法的行為。

# 刻停火

# Ceasefire Must Hold



The month-long conflict between Israel and Hezbollah that left more than 1100 Lebanese civilians and 41 Israeli civilians killed and thousands injured has sparked a humanitarian crisis. Civilian targets as opposed to military targets were attacked. Basic infrastructure and even residential buildings were bombed, resulting in deaths and injuries of innocent civilians and dire living conditions. A quarter of the entire Lebanese population had already been displaced from their homes and there was no more capacity to accommodate them.

Attacking civilian objects and carrying out indiscriminate and disproportionate attacks are war crimes. As part of the global vigil campaign, AIHK held a candlelight vigil at the Star Ferry Pier in Tsim Sha Tsui calling for a ceasefire and paying a silent tribute to the victims on 7 August. Candles were arranged in the shape of 'Ceasefire' in Chinese characters representing not only the message of ceasefire but also a safe passage to peace for the people. Some 60 participants tied solidarity knots together to convey in a Chinese way the message: "Make a concerted effort to pursue peace".

Amnesty International has launched an urgent action to its 1.8 million members around the world calling on them to write to the Israeli Minister of Defence, Amir Peretz, asking him to take urgent steps to ensure safe passage for civilians in the south of Lebanon. Missions have also been sent to conduct a much needed independent investigation of the situation there. Amnesty International has also called on the UN Human Rights Council to make a positive contribution to ending violations of human rights and requested that the UN Secretary-General establish a comprehensive, timely, independent, impartial and expert investigation into the abuse of international human rights law and humanitarian law by all parties to the current hostilities in Lebanon and Israel.



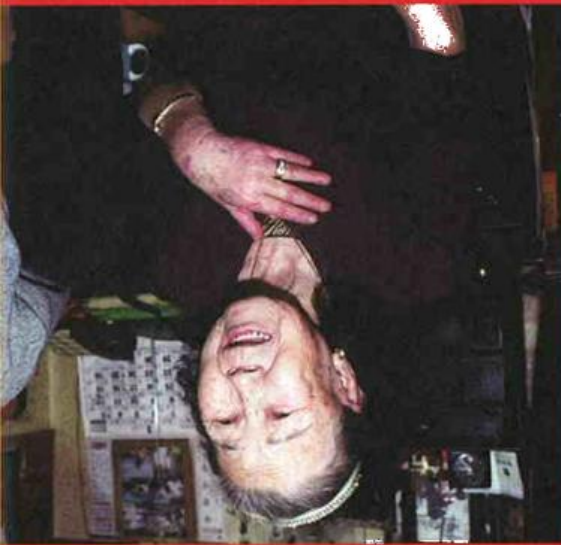
# 一個甲子的等待： Still Waiting After 60 Years: Justice for Survivors of Japan's

8月9日，即今年二次大戰紀念日之前的一個星期三，本會帶備用毋忘我鮮花砌成「莫忘」二字的橫額，於日本領事館抗議，要求日本政府不忘歷史上曾犯下的戰爭罪行，立刻向二戰時的「慰安婦」或其直系親屬作出賠償。至8月15日二戰紀念日當天，在康樂及文化事務署場租資助計劃予以補助下，本會一連六天於香港文化中心舉行有關慰安婦的圖片展覽。

在世界各地的戰區，女性成為性暴力罪行的受害者。軍隊蓄意使用性暴力，一方面是為了令敵人士氣受挫，另一方面為軍人提供「娛樂」和「動力」。性暴力有違公義，超過二十萬婦女被迫成為性奴。這些不幸的婦女更被「美化」地稱作「慰安婦」。六十年來，她們一直為尋求公義而奔波，雖然仍未如願，但並沒有打消她們尋求補償的決心。

這些婦女忍受了五十多年生理和心理上的痛苦、孤獨、羞慚，甚至飽受窮困煎熬，到二十世紀九十年代，她們終於打破沈默。在1992年前，日本政府一直否認跟「慰安婦」有關的指控；直至1992年，日本政府也只肯承擔「道德上的責任」。

慰安婦曾經忍受可怕的性虐待，令人精神幾近崩潰，但今天她們依然勇敢地道出她們受害的經過。這些受害者現時已是老人；有些甚至已經死去。她們雖然知道這場「鬥爭」是漫長和痛苦的，但她們仍期待正義得以伸張。日方應該立即實行有效的行政機制，對戰時性虐待的受害者提供全面賠償。更重要的是，日本國會應該全面承擔這些罪行的責任，這包括向受害者正式道歉，體恤受害者所受的痛苦，並責任何對女性的性暴力行為，和對事件表示真誠的懺悔。



# 「慰安婦」索償的權利

## Military Sexual Slavery System



**"Because for us the war never ended, because the shame continued. They've taken away your dignity, they took away my youth, my possessions..."**

On 9 August, the last Wednesday before the anniversary of the end of World War II, AIHK organized a demonstration outside the Japanese Consulate, called on Japanese government to provide direct adequate and effective compensation to the "comfort women" or their immediate relatives. A Photo exhibition of the survivors was held at the Hong Kong Cultural Centre from 15 August, the anniversary of the end of WWII, to 20 August, under the rental subsidy scheme of the Leisure & Cultural Services Department.

In war zones all over the world crimes of sexual violence have been and are committed against women. It is used deliberately to demoralize and destroy the opposition and is used to provide "entertainment" and "fuel" for soldiers as part of the very machinery of war. The most compelling example of the crime of sexual slavery and the denial of justice to victims was the system of institutionalized sexual slavery used by the Japanese Imperial Army before and during World War II and subsequent denials of responsibility for the system by the Japanese government. Up to 200,000 women are believed to have been forced into sexual servitude. They are euphemistically known as "comfort women", and sixty years on, survivors continue to be denied justice – they are still calling and waiting for full reparations.

Survivors suffered over 50 years of physical and mental ill-health, isolation, shame, and often extreme poverty before breaking their silence in the 1990s. Until 1992, the government of Japan denied involvement in the "comfort women" system, since then it has acknowledged only "moral responsibility".

The "comfort women" endured horrific and debilitating sexual abuse, have bravely spoken out about the crimes they suffered. The survivors are now elderly; some have died. Their wait and search for justice has been long and painful. Japan should immediately implement effective administrative mechanisms to provide full reparations to all survivors of sexual slavery. In particular, the Diet should make a full apology to survivors, including, accepting Japan's full responsibility for the crimes, acknowledging the harm suffered by survivors, denouncing all forms of sexual violence against women and expressing sincere remorse to survivors for the crimes.





7月16日，國際特赦組織與其他關注難民團體在青山灣入境事務中心附近舉行燭光晚會，抗議滯留在港的尋求庇護人士受到不公待遇，並致函特首及向立法會呈交有關文件，要求特區政府就難民問題作出有系統的處理，保障尋求庇護人士及難民的基本人權。

在香港，尋求收容者的權利不能得到保障。最讓人擔憂的是，拘留這些人士有違國際人權法，數十位尋求庇護人士因而絕食抗議，他們的健康因拘留而每下愈況，而且人身自由也被剝奪。

國際特赦組織反對在沒有證據表明他們觸犯了法律的情況下拘留尋求庇護人士，除非有確鑿證據表明拘留是必要手段，而且所有程序須遵守相關的國際人權條款，否則拘留是不合法的。

國際特赦組織呼籲讓每一位尋求庇護人士應該得到公正的裁決，仲裁者應該獨立於拘留方，而且拘留過程必須尊重國際法規。如果裁決的最終結果是拘留這些人士，法院應該定期覆審這些案件，確保尋求庇護人士或他們的代表出席。香港政府必須按國際標準，尊重尋求庇護人士的權利。

On July 16th, Amnesty International Hong Kong sponsored a vigil for refugees who are being arbitrarily detained in Hong Kong. Members and fellow activists gathered in the vicinity of Castle Peak Bay Immigration Centre to bring the issue to the attention of the public and to energize the detainees inside so they know people on the outside are putting pressure on the government to uphold their basic rights.

The detention of refugees contravenes international human rights law and standards. Amnesty International opposes the detention of refugees unless they have been charged with a recognizable criminal offense, or unless it can be demonstrated in each individual case that detention is necessary using one of the specified reasons which international standards recognize as being legitimate grounds for detaining refugees.

In the weeks before the vigil, dozens of asylum seekers were protesting their detention through hunger strike. Many ceased their hunger strike when they received assurance that their cases would be immediately reviewed. Refugees do not have proper access to lawyers, and have limited recourse in their detention cases.

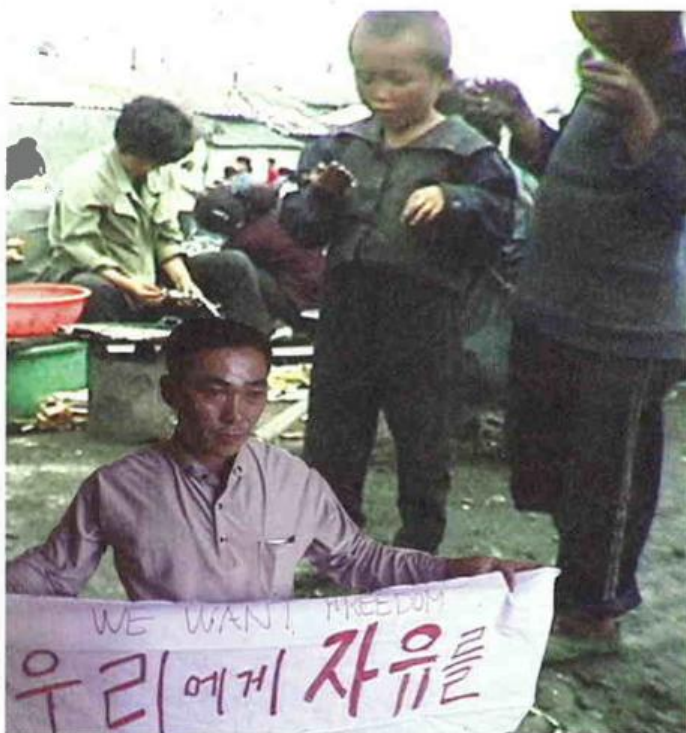
On the evening of the vigil, around 30 people gathered near the detention facility in a place visible to the refugees detained inside. The refugees were excited to see the group outside and expressed their joy by waving and yelling. Protestors on the outside shouted encouragement to the refugees in hopes they will know they are not forgotten.

AIHK Lawyers' Group has written to Chief Executive Donald Tsang to request immediate action to address the nonconformance of Hong Kong government policy with international human rights law and standards. In addition, the AIHK Refugee Group has made submissions to LegCo on the government's obligations concerning refugee issues. AIHK continues to work with local NGOs to bring attention to work to improve the situation for refugees in Hong Kong and put pressure on the HKSAR Government to develop an appropriate refugee policy.



# 首爾列車

## SEOUL TRAIN



每年的6月20日是世界難民日。這是一個紀念全世界背井離鄉，逃避迫害的難民的日子。6月27日，國際特赦組織律師和難民兩個小組合辦了一場紀錄片的放映活動，片名為《首爾列車》，主要講述北韓難民的逃難過程。

大約80多名熱心的市民來觀看了這部影片。這部近一個小時的紀錄片包含了北韓變節者偷偷帶出的一些真實紀錄片斷及一些活動分子的採訪記錄等。正如該片導演所述的那樣：「首爾列車揭露了幾個主要大國對國際法的藐視、聯合國的無能和官僚，以及那些活動分子身處險境但仍勇敢難民的英雄行。」觀眾被那久久不能忘懷的、令人寒顫的情節所打動。影片放映完幾分鐘，全場一片肅靜，觀眾還在回味著他們剛剛看到的一幕幕情景。特別深深打動人的那一幕就是當北韓變節者接近北京的中國外交部，想通過「正常渠道」申請難民保護時，被守衛攔住，不許他們進入。他們勇敢的面容反映了內心深處的無窮力量。因為中國政府通常會將這些人遣返回北韓，而他們將會面對監禁、酷刑或者匆匆被處決。

現場的觀眾一致表示他們從影片中學到了很多東西。在影片放映完之後的討論中，大家也談到香港傳媒在對中國政府在處理難民問題方面和對待北韓的人權悲劇方面，以及國際社會在協助難民的需求等方面都缺少批評。

律師和難民小組將繼續一同工作，促進本地和國際難民的境遇的改變。此次放映電影也恰好是一個絕佳的機會來探討國際難民問題的基本框架，觀眾對北韓難民的悲慘遭遇有了進一步的認識。

如欲瞭解更多有關這部紀錄片的資料，請瀏覽網頁 [www.seoultrain.com](http://www.seoultrain.com)

World Refugee Day was June 20th, a day to remember refugees around the world who have fled persecution in their home countries. The following week, Amnesty Lawyers and Refugee Groups sponsored a screening of the documentary 'Seoul Train' about the plight of North Korean refugees.

An audience of around 80 people came to see the film, a gripping hour of cinema which includes footage smuggled by North Korean defectors and interviews with activists. In the words of the directors, "SEOUL TRAIN depicts the flouting of international laws by major countries, the inaction and bureaucracy of the United Nations, and the heroics of activists that put themselves in harm's way to save the refugees." The audience was touched by the unforgettable and chilling content, and when the movie finished the room was silent for a few minutes as people tried to comprehend all they had just seen.

Especially poignant were scenes of North Koreans approaching the Ministry of Foreign Affairs in Beijing to enter the "appropriate channels" for refugee status determination and being arrested by guards who denied them access. Their brave faces reflected much inner strength as the Chinese government usually returns such people to North Korea where they face imprisonment, torture, or are summarily executed.

Audience members agreed they had learned much from the film. Discussion following the screening included topics such as Hong Kong's lack of media criticism of the Chinese government on the issue of refugees, the human rights tragedy that is unfolding in North Korea and the responsibilities of the international community in meeting the needs of refugees.

The Lawyers' Group and Refugee Group continue to work together to improve the situation of refugees locally and internationally. The film screening was an opportunity to discuss the basic framework of international refugee issues, and participants left with greater understanding of the desperate tragedy of North Korean refugees.

For more information about the film, go to <http://www.seoultrain.com>

# 中國須承擔軍備出口責任

## China: The flow of arms accelerates

中國是全球最大的軍品出口國之一，根據瑞典「國際和平研究中心」的統計，二零零四年中國常規武器的出口在全球排名第八，保守估計總值超過10億美元。雖然相對於美、俄、英、法、德等其他主要軍品出口國的軍售數字而言，這個數目未算驚人。

然而，國內的軍品出口制度缺乏透明度，使公眾難以掌握實際的出口數字。事實上，中國在過去八年來從來沒有向聯合國常規武器轉讓登記冊提交任何資料，北京方面亦未曾公佈任何有關海外軍售的資訊。在出口限制方面，中國也是唯一一個沒有簽署多邊協議的軍品出口大國，使其不受任何國際條約約束，無從保證國內出口的武器被用於嚴重人權侵犯的行為。



回望中國過往的軍售紀錄，這個憂慮不無道理。過去二十年，中國向人權紀錄惡名昭彰的國家提供了一系列軍品及警備品，當中包括蘇丹、利比亞、尼泊爾、辛巴威等國，直接為這些侵犯人權的政權提供了施暴的工具。在尼泊爾，政府軍隊使用致命武器對付爭取民主的示威者，這些武器助長了酷刑、任意拘禁、甚至奪去示威者的性命，造成嚴重的人權侵害。在蘇丹達爾庫地區，政府軍及其他武裝組織參與了大型的屠殺、綁架等罪行，導致多達二百萬人流離失所及無數婦女被集體強暴。在南非，犯罪分子很輕易地就能買到由中國生產的槍械，危害當地治安。這些例子，都說明了中國出口的軍備正助長了各地的武裝衝突及破壞地區的穩定。

中國在國際舞台上的角色日益重要，在身兼聯合國安理會常任理事國之餘，亦剛當選為新成立的人權理事會成員，國際社會也將寄望這個號稱「和平崛起」的大國，能夠積極承擔起維持全球穩定與和平的責任。可是，中國過往的軍售紀錄正與這些寄望背道而馳，亦違背了中國一向所強調的，對軍品轉讓「謹慎而負責的」態度。六月底時，在聯合國舉行的《從各個方面防止、打擊和消除小武器和輕武器非法貿易的行動綱領》審議大會，讓中國真正落實在軍品轉讓方面所下的承諾；而今年十月的聯合國大會第一委員會（聯大一委），更是一個關鍵時機，讓各國共同開始草擬一條具法律約束力、規管所有常規武器轉讓的國際軍備貿易條約；作為世界大國的中國，支持這些維護全球人權及安全的工作，實在是責無旁貸。

國際特赦組織就中國政府應如何管制軍品轉讓有一系列的建議，詳情請參閱以下報告：《中國：支援衝突及違反人權的行為》（China: Sustaining conflict and human rights abuses — the flow of arms accelerates）。

China is one of the world's major arms exporters and ranked 8th in 2004 for export of conventional weapons, according to the Stockholm International Peace Research Institute. When compared to the export amounts of other arms supplier countries, such as the United States, Russia, Britain, France, and Germany, China's export value, which amounts to about 1,000 million US dollars, is not alarmingly large.

Lack of transparency in arms deals remains a problem, therefore the public cannot easily access reliable data. China is a major arms exporting power, and has not entered into any multilateral agreement which sets out criteria to prevent the flow of arms to countries notorious for brutal armed conflicts and human rights abuses.

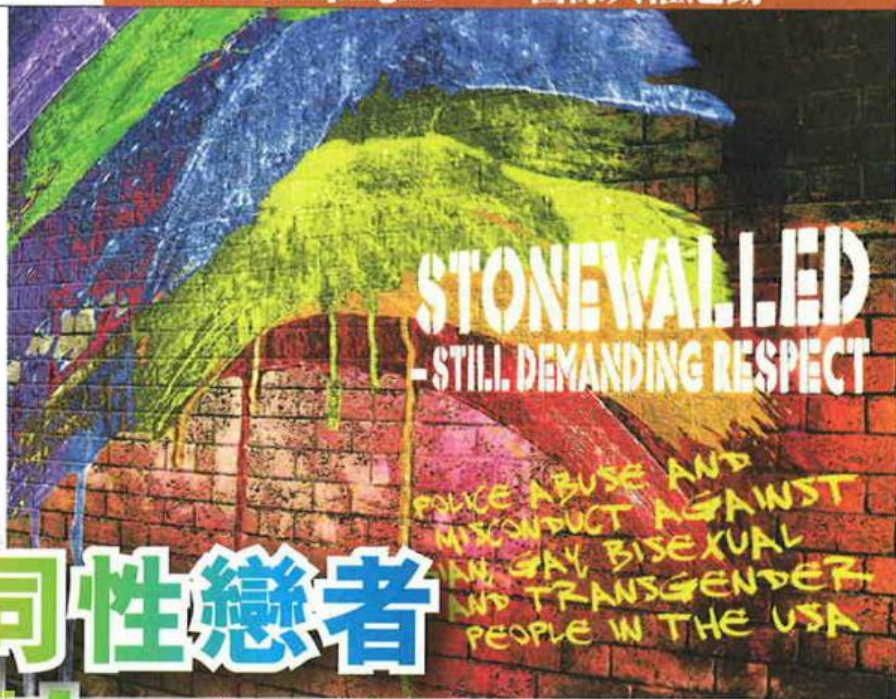
During the past 20 years, China has continued to allow military equipment to be sent to Sudan, Libya, Nepal and Zimbabwe, despite their appalling human rights records. In Nepal, the weapons might be used to assist torture and detention, and threaten the lives of demonstrators. In Sudan, government armies and other military forces are engaged in massacres and kidnapping, leading to 2 million dislocated refugees, and giving rise to crimes such as pack rape. In South Africa, criminals pose a great threat to local security with guns that are likely to have been manufactured in China. All of these examples illustrate that weapons exported from China to those countries notorious for grave abuses destabilize the recipient region.

As a permanent member of the UN Security Council and a new member of the Human Rights Council, China is playing an increasingly important role on the global stage. Amnesty International expects China to take responsibility for peace and stability. However, its past records of arms trade contradict China's commitment "to stay cautious and responsible." AI urges China to take advantage of the UN Review Conference in July 2006 and the UN General Assembly in October 2006, so as to agree upon an Arms Trade Treaty on all conventional weapons. As a political power, China should contribute to the world's human rights and support the efforts to combat abuses.

Amnesty International has provided a series of recommendations to the Chinese authorities relating to arms control. For more information, please refer to AI's report, People's Republic of China: Sustaining Conflict and Human Rights Abuses — the Flow of Arms Accelerates.

從7月15日到7月22日，芝加哥承辦了第7屆同性戀運動會及體育文化節，並接待了來自世界各地上千名同性戀、雙性戀和變性運動員、觀眾和文化藝術表演者。芝加哥是美國第一個修訂其人權條例的城市之一，廢除了在雇傭、住房和公共場所對同性戀的歧視。芝加哥的這項條例後來還將對性別身份的認可納入其中。

全世界的同性戀、雙性戀和變性人士社區都在努力爭取得到法律上的認可。國際特赦組織的調查表明，芝加哥的同性戀、雙性戀和變性人士依然面臨著基於性別歧視的暴力威脅，甚至有可能遭受到虐待和酷刑——他們在時常發生的逮捕、搜身和滯留中被執法人員性虐待、毆打或辱罵。



# 停止歧視 同性戀者

## Stonewalled - Still Demanding Respect

警方處理對同性戀、雙性戀和變性人士施暴的案件常常不到位，甚至有時態度蠻橫。正因為如此，同性戀、雙性戀和變性人士時常懼怕報案。國際特赦組織曾經記錄到這樣的情況：在接手牽涉到同性戀伴侶的家庭暴力的事件的時候，警官沒有採取認真負責的態度，相反，還揚言威脅逮捕這對伴侶，或是僅僅根據種族和性別的陳見來確認施暴者。

針對同性戀、雙性戀和變性人士的某些法律條款依然帶有歧視性，把他們和其他人區別開來。年輕且無家可歸的少數族裔同性戀人士更有可能遭到來自警方的虐待。

國際特赦組織的調查指出，在十分嚴重的暴力案件中，涉案警員時常逍遙法外，使他們不受任何法律追究。

國際特赦組織「停止警方對美國的同性戀、雙性戀和變性人士施暴」的倡議運動將集中在以下四個城市：芝加哥、洛杉磯、紐約和聖安東尼。欲瞭解詳細情況，請到訪國際特赦組織美國分會的網站。



© AP Photo/Eric Miller

From 15 to 22 July, Chicago will play host to the world and welcome thousands of LGBT athletes, spectators and cultural participants to the city for the 7th Gay Games Sports and Cultural Festival. Chicago prides and promotes itself as a city of humanity and cultural diversity, and has taken important steps in recognizing and protecting the human rights of lesbian, gay, bisexual and transgender (LGBT) people. Chicago was among the first US cities to amend its city human rights ordinance to bar discrimination in employment, housing, and public accommodations on the basis of sexual orientation - and later was among the first to add gender identity to the bill.

Despite winning legislation that many LGBT communities around the world are in need of, Amnesty International's recent research shows that LGBT people in Chicago are at risk of gender-based violence, sometimes amounting to torture or other ill-treatment, taking the form of sexual, physical and verbal abuse in routine encounters with law enforcement officials and during arrest, searches, and detention.

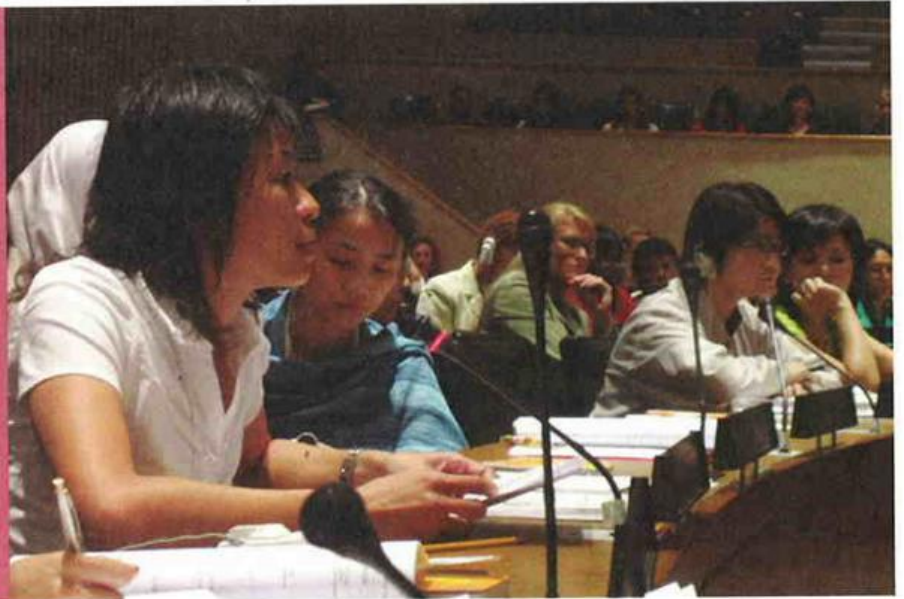
The Police response to crimes against LGBT people is often inadequate and sometimes hostile. Because of this, the LGBT community often fears reporting crime. In cases of domestic violence involving same-sex partners, AI has documented reports of officers not taking such incidents seriously, threatening to arrest both parties, or relying on racial and gender stereotypes when identifying the abuser.

There also continues to be profiling and discriminatory enforcement of certain laws and ordinances against LGBT people. Young, homeless, ethnic or racial minority LGBT people are at particular risk of police abuse.

AI's findings strongly indicate that even for serious abuses, officers are seldom held accountable, creating a climate of impunity.

Amnesty's campaign to 'End Police Brutality Against LGBT People in the U.S.' focuses on four cities; Chicago, Los Angeles, New York City and San Antonio. For more information on the action on Chicago visit the AIUSA out front website.

今年香港政府已就聯合國《消除對婦女一切形式歧視公約》(下稱《婦女公約》)遞交了第二次報告，向聯合國解釋《婦女公約》在香港的執行情況。聯合國消除對婦女歧視委員會(下稱委員會)已於八月時審議這份報告。本會亦有向委員會遞交影子報告，並前往聯合國總部，向委員會提出非官方的意見。



# 以國際人權公約對抗家庭暴力

## Stop Violence Against Women



免受暴力對待是國際公認的基本人權。要消除對婦女的暴力，其中一種最有效的方法，是立法禁止。然而，本地法例卻難以保障婦女免於暴力的威脅。香港的《家庭暴力條例》是一條已經有二十年歷史的民事法，其對受害人的保障早已過時，更遠遠落後於其他已發展地區的同法例。《條例》對家暴受害人的最大保障，僅僅是賦予其向法院申請強制令的權力。《條例》對「暴力」的定義亦只限於「身體傷害」，受害人若只是被言語恐嚇或遭心理虐待，而未能證明曾受到身體傷害的話，她就難以引用這條例來保障自己或子女的安全。

政府有必要履行《婦女公約》中，保障婦女免於家庭暴力的責任，全面修訂家庭暴力的法例，把「暴力」範圍擴大到非肉體傷害的層面。法例亦應該賦予法庭有權根據案情的嚴重程度，裁決強制令的有效期限。在發出強制令時，亦可全盤考慮是否同時發出逮捕令，全面地保護受害者免受更多的傷害。

香港於一九九六年起已成為《婦女公約》的締約地區，政府必須負起責任，落實《婦女公約》訂下的標準，向國際社會交待這個「國際都會」對消除對婦女暴力的決心。

The Hong Kong government has handed in her second report to the UN in compliance with the Convention on the Elimination of All Forms of Discrimination against Women <<CEDAW>>. It informs the UN on the work of the Women's Convention in Hong Kong. The report was reviewed in August by the United Nations Committee on the Elimination of Discrimination against Women and they had produced a shadow report to present to the UN headquarters.

The prevention of torture is a basic human right that is universally recognized. In order to put an end to violence against women, one of the most effective ways is to make it illegal. However, local laws are sometimes unable to protect women against violence for reasons of unenforceability. Hong Kong's Domestic Violence Ordinance has a history of 20 years, with outdated and insufficient protection to victims. Hong Kong is falling behind other countries in this region in terms of providing sound compensation and protection to victims. To be given injunction powers by the court is the greatest protection the ordinance can provide. Also, the ordinance's definition of "violence" is limited to bodily harm. If a victim is subject to psychological and verbal abuse without proof of bodily harm, she cannot use the ordinance to ensure the safety of her and her children.

AIHK believes that the government needs to commit to the Convention of women and take up the responsibility of protecting women against domestic violence. The Ordinance dictating family violence needs to be revised to include not only bodily harm. The ordinance should also base the length of injunction powers on the degree of each individual case. In the case of allowing injunction powers, it should also consider if a search warrant is needed, in order to fully protect the victims from further harm.

Since joining the Women's Convention in 1996, the government must take up their responsibility and meet the international standards of the Women's convention. We must show the international community our determination to make this international metropolis free of violence against women.

我們在此請您幫助，拯救因販毒罪被判死刑的十六個人。他們的法律上訴途徑已經結束，已無路可走，他們的名字見附表。

國際特赦組織認為，目前並無確實證據可以證明死刑比其他懲罰更有效阻止那些販毒分子和毒品供應者。國際特赦組織對這十六個人是否得到符合國際標準的審判深表關切。比如尼泊爾人 Indra Bahadur Tamang，儘管他多次聲明並不懂印尼文，但還是被強迫簽署印尼文的文件，而這些文件後來在審訊過程中，作為證據的一部分，將他處以死刑。

請儘快以英文、中文或者你自己的文字，發出求救信：

- 呼籲印尼總統減輕被判處死刑的十六人的刑罰；
- 呼籲印尼當局披露更多死刑範例的詳盡資料；
- 呼籲印尼當局減輕所有死刑刑罰，因為它從根本上就侵犯了人的最基本權利——生存權；
- 要求印尼政府簽署和批准《公民權利和政治權利國際公約》的第二任議定書，並承諾向廢除死刑方向邁進。

# 反對在印尼即將進行的死刑執行

# TAKE ACTION

## Imminent Execution in Indonesia

We are appealing for your help to save 16 people sentenced to death for drug trafficking in Indonesia. The 16 have exhausted all legal avenues for appeal. Their names are in the table below.

Amnesty International believes that no convincing evidence has been produced that the death penalty deters would-be drug-traffickers and suppliers more efficiently than other punishments.

In Indonesia an increasing number of death sentences are being given to those convicted of drug trafficking, mainly foreign nationals. AI is concerned that the trial of these 16 people may also not meet international standards. Amnesty believes that Nepali national Indra Bahadur Tamang, one of the 16, was made to sign documents written in Indonesian, even though he reportedly does not understand the language. These documents allegedly formed part of the evidence used by the prosecution to sentence him to death.

In September 2005, the Indonesian parliament took steps to authorize ratification of the International Covenant on Civil and Political Rights (ICCPR), which promotes the right to life. However, they did not authorize ratification of the Second Optional Protocol to the ICCPR, aimed at the abolition of the death penalty.

Please send appeal letters to arrive as quickly as possible, in English, Chinese or your own language:

- calling on President Yudhoyono to commute the death sentences passed on these 16 people;
- calling on the authorities to release comprehensive information on all current death penalty cases in Indonesia;
- calling on the authorities to commute all death sentences in Indonesia, as they constitute the violation of one of the most fundamental of human rights: the right to life;
- urging the government of Indonesia to sign and ratify the Second Optional Protocol to the ICCPR and commit themselves to working towards the abolition of the death penalty.

### APPEALS TO:

President Susilo Bambang Yudhoyono  
President RI  
Istana Merdeka  
Jakarta 10110, Indonesia  
Fax: +62 21 345 2685/+62 21 526 8726  
Salutation: Dear President

### PLEASE SEND APPEALS IMMEDIATELY:

AHK's Malaysia, Indonesia, and Singapore group is currently campaigning against the use of the death penalty in Indonesia. To learn more or to get involved, email [admin-hk@amnesty.org](mailto:admin-hk@amnesty.org). For those who want to write but are short of time, a sample letter in English can be found on the group's yahoo group address: "<http://groups.yahoo.com/group/aihkmalaygroup/message/265>"

尼日利亞人 Nigerian nationals:	Okonwo Nonso Kingsley; Humphrey Ejike; Gap Nadi; Eugene Ape; Ek Fere Dike Ola Kamala; Michael Titus Igweh; Hillary K Chimize
印尼人 Indonesian nationals:	Deny; A Yam; Jun Nao; Deni Setiawan Maharwan; Meirika Franola; Rani Andriani
泰國人 Thai national:	Bunyong Kaosa Ard
尼泊爾人 Nepali national:	Indra Bahadur Tamang
馬拉維人 Malawian national:	Namaona Denis



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Amnesty International is an independent organization, we do not accept any donations from governments or political parties, but depend largely on the generosity of the general public to fund our human rights and life-saving work. Therefore, your generous support is very important to our work.

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