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2006年十二月號 December 2006

HR  
**人權**



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

**攜手努力 維護人權**

**MAKE SOME NOISE  
FOR A BETTER WORLD**

2006年十二月號 December 2006

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**WE WELCOME YOUR COMMENTS!**

Share with us your views on our work or actions you've taken for human rights. Please include your name, phone number, address and email address.

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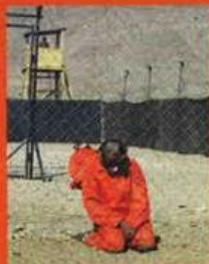
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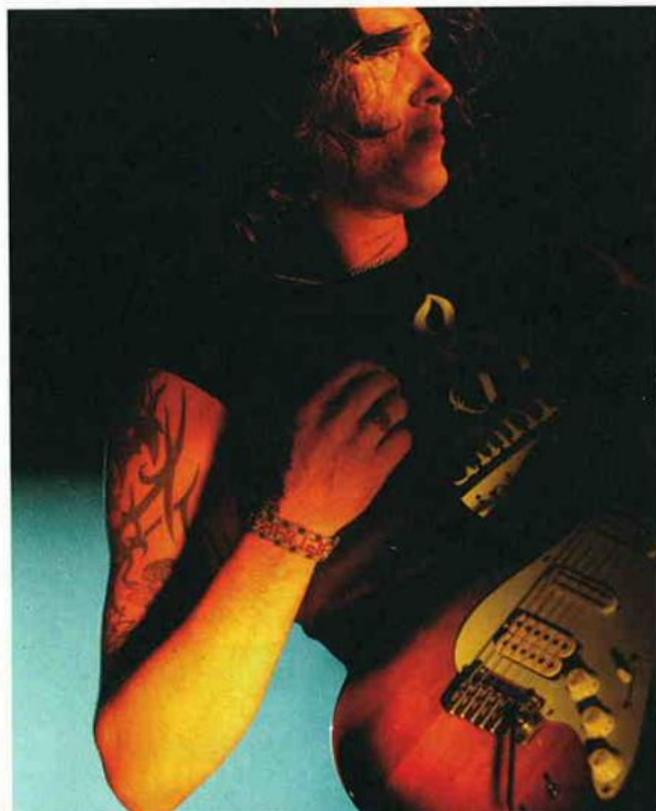
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# 和平的呼喚

## Make some noise for a better world!

一年將盡，2006年將在風雨飄搖之中結束，許多慘無人道的悲劇非但沒有停止，而且不斷加劇。

蘇丹達爾富爾地區，正面臨比上世紀末盧旺達種族屠殺更血腥的流血衝突，三十萬名達爾富爾平民死亡，一百八十萬人無家可歸。國際特赦組織已要求蘇丹政府讓聯合國維和部隊進駐該區，以保平民生命安全，解除阿拉伯民兵團的武裝。

今年也是九一一事件五周年，正當悼念活動此起彼落之際，要求美國關閉設在古巴的關塔那摩監獄之聲也響遍全球。一個充滿酷刑和無人道對待的黑獄，卻因「反恐之名」而堂而皇之地存在，是對人權和公義的一大恥辱，我們的全球會員也因此而大聲呼喚：「立刻關閉關塔那摩灣！」

雖然前路並不平坦，但我們不感到孤單，相反，愈來愈多伙伴加入我們，讓維護人權的聲音愈來愈響亮。世界各地的著名歌星，包括本地歌手黃耀明、何韻詩等，也加入了國際特赦組織的「Make Some Noise」活動，唱出和平之歌，以音樂支持人權，宣揚和平訊息。

除了透過音樂，我們也可以透過鏡頭去表達種種人權訊息。這次我們也特地訪問了上屆人權新聞獎得主之一潘達培，他把戰火中的顛沛流離，真情地透過影像展示在大家面前。

在未來一年，我們相信，將會有更多人，和我們一起，為人權而發出嘹亮的聲音！

Through out the year, high-profile international artists have united for human rights. Locally, young popular artists such as HOCC and Takuza Suzuki have joined our MAKE SOME NOISE campaign to spread message of defending human rights to the people in Hong Kong. Violence and prejudice still exist in most parts of the world. AIHK believes that only through public education that we will learn more about our rights as human beings and the right ways to support our human rights works internationally.

It is easy to feel overwhelmed by the bleak stage of world events. But with many more to come, these artists have generously offered their time and talents to bring Make Some Noise to life. Don Cheadle and Snow Patrol have joined us to urge the UN to exert maximum pressure on Sudan to accept the peacekeepers, including imposing further targeted sanctions. Janguages, Mexico's biggest rock band, is calling for justice for women in Sudan.

Not only the artists but you can also make some noise. You can add your voice to the global chorus call for Guantanamo to be closed now, and you can sign our petition to send UN peacekeepers to Darfur now. We truly believe that everyone has the power to make a difference to the world. Let's work together, make some noise, and make an impact for a better world.



潘達培 Poon Tat-pui Eric



# 透過鏡頭 專訪人權

去年，香港電台紀錄片編導潘達培就2004年名嘴封咪事件，為鏗鏘集製作節目《免於恐懼》，成為人權新聞獎得主之一。不過，相信令香港人對潘達培記憶最深的作品，必定是曾獲2002年度兒童權利大獎的紀錄片《孩子上戰場》。

In 2000, RTHK producer Poon Tat-pui Eric made two trips to Myanmar to cover the story of the children who are fighting for the Karen National Liberation Army, a rebel group that has been locked in bitter conflict with the Myanmar Government for decades.

## 戰場上的孩子

2000年6月，香港電台與澳洲廣播公司共同製作有關童兵的紀錄片，潘達培負責拍攝緬泰邊境的童兵問題。克倫族跟緬甸軍方已打仗五十年，那裡是全球最多童兵的地方。

潘達培說：「年紀最小的童兵只有十四歲，他們的親人都給軍政府殺死了，所以自願參軍。對他們來說，一切都是沒有選擇的。你可以看看童兵的眼睛，那種震撼人心的眼光，最叫人難忘。」

雖然《孩子上戰場》獲得大獎，但當年安排在黃金時段播放，也引來市民的極大反響，有人甚至向影視及娛樂事務管理處投訴影片太過血腥。對此，潘達培表示：「記者的職責是報導真相，童兵的出現是很殘酷的現象，但那個就是現實，是真實發生的。有時香港人太受保護了，不肯面對世界上這些嚴峻又殘酷的問題。」

## 距非洲十萬九千里的香港

潘達培是八十年代末中文大學新聞系的畢業生，多年來一直在香港電台《鏗鏘集》擔任編導的工作。香港每年新聞系畢業生雖然多，但能夠或願意跑到戰

場上去報導真相的人，卻少之又少。潘達培認為這不能全怪記者，而是香港的院校根本沒有戰地採訪的培訓。

雖然他本身也沒有受過什麼訓練，但仍是在二千年底跑到非洲的安哥拉去，而且一去就是一個月。

「因為我想更貼近地看，看他們的生活，看他們的戰爭，但不走馬看花。」潘說。安哥拉內戰持續了三十年，國內每寸土地，都有可能地雷陣，人民連在自己的國土上自由自在地走的權利也沒有，只能惶惶不可終日地生活。這些片段，潘達培拍攝成《我獨自哭泣》，奪得2001年度的人權新聞獎。

「香港距非洲十萬九千里，這裡沒有戰爭，所以我是無法完全代入他們面對的苦難。但是，正如甘浩望神父說：『雖然我永遠無法感受他們一樣的苦難，但起碼我可以陪著他們一起上路。』」

見過這些血淋淋的場面，有沒有想過退下來？

「本來計劃去蘇丹達爾富爾，但現時局勢非常不明朗，希望可見的將來有好時機。」蘇丹達爾富爾地區正發生類似上世紀盧旺達屠殺事件的種族屠殺，連聯合國也心急如焚。好時機，還要等多久？不論是潘達培，還是蘇丹人民，但願也不用久等。

### 人權新聞獎

人權新聞獎是國際特赦組織香港分會、香港記者協會及外國記者會聯合於一九九六年發起，以表彰香港及亞洲區在捍衛人權方面表現出色的新聞工作者。

"Child Soldiers", produced by Poon and winner of the ABU/CASBAA UNICEF Child Rights Award 2002 and the Seventh Annual Human Rights Press Awards 2002, shows how hundreds of thousands of children in various parts of the world are completely deprived of their rights.

"Children should not be employed as soldiers anywhere, for any reason whatsoever. My hope is that this point will be driven home to viewers - that they will be motivated to look for ways to assist political efforts to reduce the number of child combatants, and help with their rehabilitation through the support of those organizations that are working with these children in the field," Poon said.

On New Year's Eve, 2000, Poon arrived at Angola in Africa and documented the nation's turmoil caused by its civil war. In a seemingly incessant war, there is scant regard for human

lives. "Hong Kong is such a peaceful place that you would never realize the harm of war. However, as Father Mella said, for a moment in their lives, we were walking hand-in-hand with them and shared their pain."

"Cry Alone", a feature TV programme on Angola's victims of the civil war, won the Sixth Annual Human Rights Press Award.

### Human Rights Press Award

Since 1996, Amnesty International Hong Kong, together with the Hong Kong Journalists Association and the Foreign Correspondents' Club Hong Kong, has held the annual Human Rights Press Awards. The goal of the Press Awards is to increase respect for the basic rights of all people, to heighten general awareness of human rights issues, and to focus on the crisis regions where threats to human rights exist.

# 新聞獎得主潘達培

## Human Rights Reporting – An Interview with Eric Poon



泰國邊境的童兵 Child Soldiers in Burma



感謝披頭四樂隊成員之一約翰·連儂的遺孀大野洋子慷慨地將約翰·連儂的名作Imagine及其他獨奏歌曲的使用權捐贈予國際特赦組織作為推廣人權之用。國際特赦組織今年特別以約翰·連儂的音樂為主題發起全球「Make Some Noise」活動，以宣揚維護人權的精神，並希望透過音樂的力量，鼓勵新一代年青人能為維護人權而站起來，令關注人權的聲音更大，為世界帶來改變。眾多國際著名樂隊及歌手，包括Black Eyed Peas, Avril Lavigne, AfroReggae, Jaguares等，亦大力支持是次「Make Some Noise」活動，重灌約翰·連儂的經典獨唱歌曲，並於國際特赦組織的網站<http://www.amnesty.org/noise> 作慈善下載。

而香港分會亦於今年十月至十二月期間舉辦「Amnesty International HK x <http://www.izzue.com> "Make Some Noise for A Better World"」T恤義賣活動，並已於十月十八日於朗豪坊舉行揭幕儀式，為慈善義賣正式揭開序幕。

國際特赦組織香港分會很榮幸獲得著名時裝集團I.T的全力支持，與旗下的本地時裝品牌<http://www.izzue.com>合辦「Make Some Noise for A Better World」慈善活動，並獲得眾多演藝名人支持，包括何韻詩、鈴木仁、at17、PixelToy、I Love You Boyz、關智斌，為我們親自設計「Make Some Noise」系列T-shirt作慈善義賣，及與大眾分享自己對戰爭或人權的深刻回憶和體驗，喚醒青年一代去正視和支持人權發展，宣揚反戰、酷愛和平、平等的訊息。是次T恤義賣所籌得的善款扣除必要開支，將全數撥捐國際特赦組織香港分會支持本會的工作。

「Make Some Noise」系列T-shirt由十月十八日起於<http://www.izzue.com>其中18間分店內作義賣籌款，定價為港幣179元。而凡選購「Make Some Noise」系列T-shirt者，均可獲贈歌曲下載換領券乙張，於國際特赦組織<http://www.amnesty.org/noise>網站免費下載由世界各地的著名歌手重新灌錄之John Lennon名曲。

# MAKE SOME NOISE

## MAKE SOME NOISE



Thanks to an extraordinary gift from Yoko Ono – the recording rights to “Imagine” and John Lennon’s entire solo songbook – Amnesty International is harnessing the power of music to inspire a new generation to stand up for human rights by organizing the global human rights campaign – “Make Some Noise”. The goal of this campaign is to engage more new supporters for AI’s human rights work to make a positive impact on our world and collectively raise our voices to make as much noise as we can for human rights. Until now, many famous international music artists, including Black Eyed Peas, Avril Lavigne, AfroReggae, Jaguares, among others, have offered tremendous support to the “Make Some Noise” campaign by recording John Lennon’s solo songs, which can now be download from Amnesty International’s web site: <http://www.amnesty.org/noise> for fundraising.

The Amnesty International Hong Kong Section has launched an educational and fundraising campaign Amnesty International HK x <http://www.izzue.com> “Make Some Noise for A Better World” to further promote the awareness of this global human rights campaign. A launching ceremony was held on 18 October at Langham Place to kick-off the campaign.

With the strong support of leading fashion group I.T LTD, Amnesty International HK has joint hands with popular local fashion brand <http://www.izzue.com>. The campaign has also gained the support of a number of young popular artists, including HOCC, Takuza Suzuki, at 17, Kenny Kwan and I Love You Boyz, who have created their own designs for the “Make Some Noise” series tees for charity sales at <http://www.izzue.com>.

The “Make Some Noise” series tees will be sold at 18 selective <http://www.izzue.com> stores at HK\$179.00 each since 18 Oct. For every purchase of the charity tee, a voucher for downloading one of the John Lennon’s solo songs recorded by renowned international artists will be given free.

ISE

**FREE DOWNLOAD**

With purchase of any “Make Some Noise” Tee, you can get a FREE download of John Lennon’s most compelling songs by current artists at [www.amnesty.org/noise](http://www.amnesty.org/noise).

1. Power to the People – The Black Eyed Peas
2. Imagine – AfroReggae
3. Simon Says Yooh – Jaguares
4. Happy Christmas (New Is Dead) – Memento II
5. Give It Up with Me – Postal Service
6. Lockdown – Snow Patrol
7. Love – The Cure

**WORK TOGETHER  
PROTECT HUMAN RIGHTS**

MAKE SOME NOISE

**國際特赦組織香港分會周年大會**

本會一年一度的周年大會將於12月14日（星期四）假香港文化中心舉行，敬請各位會員出席，並選出今屆的執行委員會。

日期：12月14日（星期四）  
時間：晚上七時半至九時半  
地點：香港文化中心AC1會議室  
如有查詢，請電 2300 1250

**AIHK Annual General Meeting**

The Annual General Meeting will be held on 14 December (Thursday), 7:30pm to 9:30pm at Room AC1, Hong Kong Cultural Centre. Members are welcome to attend the meeting. For inquiries please call 2300 1250.



# 往關塔那摩之路， 九一一事件五周年的反思

## Denounce Torture: The Road to Guantanamo



國際特赦組織獲今屆柏林影展銀熊獎得獎導演米高·溫達波頓授權，於九月九日「九一一事件」前夕，在香港百老匯電影中心播放紀錄片《往關塔那摩之路》，並邀請香港經濟日報（國際資訊）副總監曾廣標先生主持分享會。由於反應熱烈，本會於九一一當天於香港大學進行第二輪播放，及後亦分別於香港基督徒學會、中文大學及龍應台文化基金會先後播放。

國際特赦組織一直關注美軍在古巴關塔那摩監獄的虐囚情況。自九一一以來，美國以「反恐」之名大肆緝捕所謂的「恐怖份子」，並將之囚禁於關塔那摩，期間囚犯受到種種不人道對待，包括剝奪睡眠、性虐待、長期單獨拘禁、盤問時受種族及宗教的侮辱等等。關塔那摩監獄中大部份人都未被落案起訴及未經審判而被無限期監禁，嚴重違反《日內瓦公約》。國際特赦組織強烈要求美國政府尊重國際人權法及維護人類尊嚴，立即關閉關塔那摩監獄。

有關本會要求立即關閉關塔那摩監獄的行動及《往關塔那摩之路》的資料，請瀏覽：  
[www.roadtoguantanamo.com](http://www.roadtoguantanamo.com)

On 9 September, AIHK sponsored a screening of the documentary THE ROAD TO GUANTANAMO about the torture and ill-treatment in the "War on Terror" in Guantanamo Bay.

The film was first shown at Broadway Cinematheque, with Ms Peter Tsang, Deputy Controller of Hong Kong Economic Times hosting the after-screening discussion. Subsequent screenings were held at the University of Hong Kong, Hong Kong Christian Institute, the Chinese University of Hong Kong and Lung Yingtai Cultural Foundation.

THE ROAD TO GUANTANAMO depicts a trio of British young men detained in Afghanistan and held in Guantanamo Bay under suspicion of having links to the Taliban. They were released in March 2004 after more than two years in custody, where they alleged ill treatment and torture.

Amnesty International has launched a global action, calling for the detention camp at Guantánamo Bay to be closed. More details for the action and the film: <http://www.roadtoguantanamo.com/>

# 水深火熱的蘇丹

## Protect the People of Darfur

十月十四日，本會再於百老匯電影中心舉行另一次電影分享會。著名人類學家Hugo D' Aybaury授權國際特赦組織播放珍貴紀錄片《The Right To Be Nuba》，本會亦邀請曾前往蘇丹從事人道救援工作的香港工程師高永賢博士，向大家講述蘇丹的情況。

位於蘇丹中部的魯巴（Nuba）地區，是少數非阿拉伯黑人民族魯巴人的聚居地。自1985年開始蘇丹軍政府開始向魯巴地區開戰，大批魯巴人遭到屠殺。至2002年，軍政府與蘇丹人民解放陣線達成停火協議，魯巴的和平問題才得到解決。

但是，一波未平一波又起。蘇丹內戰連年，2003年，蘇丹西部的達爾富爾地區更出現了該國內史無前例的人道危機。據估計，至今年九月，因為戰爭衝突而死亡的達爾富爾平民人數已達三十萬人，而目前約有一百八十萬人住在難民營。聯合國稱達爾富爾需要23,000名的維和部隊成員，以保護當地的平民，並確保落實和平協議。國際特赦組織現發動全球呼籲行動，要求蘇丹政府讓維和部隊進駐達爾富爾地區。請點擊以下網頁：支持我們的行動：  
[www.amnesty.org/protectdarfur/eng/](http://www.amnesty.org/protectdarfur/eng/)



On 14 October, AIHK sponsored another screening of the documentary THE RIGHT TO BE NUBA at Broadway Cinematheque Library, and invited Dr Albert Ko, Sudan aid worker, to host the after screening discussion.

The Khartoum government has systematically destroyed many of Nuba's villages and thousands of people have been rounded up and killed. No other film crews have been able to gain access to the Nuba Mountains. Anthropologist Hugo D'Aybaury managed to fly undetected into the area to capture on film the vitality and customs of a people forgotten by the Western world.

While the Nuba crisis was resolved in 2002, another crisis has begun at Darfur region in western Sudan. Thousands of civilians have been killed, tortured and raped, and hundreds of thousands have been forcibly displaced since 2003. The government of Sudan resists the deployment of international peacekeepers in Darfur. Civilians have been killed in aerial bombardments and ground attacks by government forces and Janjawid militia.

Despite a UN resolution calling for Peacekeepers for the battle-torn area of Darfur, there is still no adequate protection for the thousands of civilians who are being subjected to killings, rape and displacement from their homes. Amnesty International is calling on members of the UN Security Council and the African Union to develop a common united position to secure the consent of Sudan to the deployment of UN peacekeepers, and to bolster African Union Mission in Sudan in the interim. For details of our action, please refer to [www.amnesty.org/protectdarfur/eng/](http://www.amnesty.org/protectdarfur/eng/)



淨白去印潔面乳。

配方針對**家暴傷痕**！

每十個香港家庭，就有兩個曾經遭遇  
家庭暴力，受害人大多數是女性\*。  
傷痕可以遮蓋，但每年超過10,000宗  
婦女的家暴求助個案，卻不能被掩飾。

\*資料來源：香港大學 2005 年《虐待兒童及虐待配偶研究整體報告(第一部分)》



停止  
暴力對待  
婦女



AMNESTY  
INTERNATIONAL  
國際特赦組織

**立即行動，向家暴說「不」！**

現行的《家暴條例》對受害人保障極為有限，  
難以保障婦女走出家庭暴力的陰霾。

請即登上 [www.amnesty.org.hk/svaw](http://www.amnesty.org.hk/svaw)  
參加一人一信行動，要求修改《家暴條例》，保障婦女人權！

# 有關性權與生育權的諮詢

## Consultation on Sexual and Reproductive Rights

國際特赦組織一向決心捍衛性權與生育權，並將發展全面的政策和策略。性權與生育權是「停止暴力對待婦女」運動不可缺少的一部份。我們全球各地的分會亦就此向會員作出諮詢。當中包括三個重要議題：

一、國際特赦組織應就墮胎非刑事化制定立場；

二、國際特赦組織應取態要求當婦女因墮胎而出現併發症時，她們有權接受具質素的醫療服務。因此，即使在墮胎不合法的國家，若婦女因非法墮胎而出現併發症，國際特赦組織應要求她們獲得醫護治療的權利，她們或有關的醫護人員無需擔心受到報復。

三、國際特赦組織應取態認為在強姦、性侵犯、亂倫及危及婦女生命的情況下，婦女有權接受合法、安全及易達的墮胎。

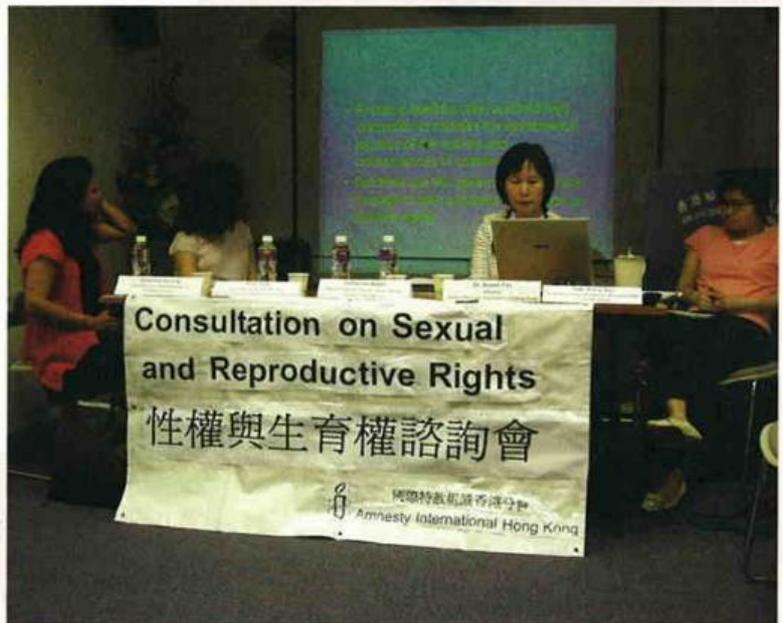
今年六至七月期間，本會就以上問題向會員進行諮詢及公開討論，共得到三十多個回應，其中大部份也支持本會的立場。本會亦於七月派員前往里斯本參加全球諮詢大會反應香港分會的意見。雖然有部份地區的分會有所保留，但大部份分會，包括本會，均支持以上的立場，並希望國際秘書處盡快就有關立場進行風險評估。

在未來數月，本會將會評估這些立場對會員制及我們的夥伴的影響，包括婦女團體、宗教團體等，並向國際秘書處反應。如任何會員對有關背景資料有興趣，或想表達意見，可致電2300 1250與本會聯絡。

AI is committed to defending and promoting sexual and reproductive rights (SRR), and will develop a comprehensive statement of its policies as well as a strategy for action.

The promotion and protection of SRR is integral to the Stop Violence against Women (SVAW) campaign and a number of SRR issues were identified for discussion within the movement. Sections worldwide participated in a massive membership consultation to develop new policies.

Three aspects of abortion were identified for "fast-track" decision-making in 2006:



1. Amnesty International should take a position in calling for the decriminalization of abortion
2. Amnesty International should take a position in calling for access to quality services for the management of complications arising from unsafe abortions – hence even in countries where abortion is illegal AI should call for access to health care for women suffering as a consequence of an illegal abortion without fear of reprisals for them or the health care staff involved
3. Amnesty International should take the position that women should have the right to legal, safe and accessible abortion in cases of rapé, sexual assault, incest and risk to a woman's life.

In June and July AIHK carried out a survey of its membership and held an open forum to discuss these questions. We received some 30 responses. The responses were overwhelmingly in favour of the proposals

AIHK also participated in a special meeting in Lisbon in July where sections from all over the world gave the responses to their consultation. The majority of sections were in favour of AI taking the positions outlined above although there were serious reservations. Sections, including AIHK, urged the IS to carry out a proper risk assessment to see the possible negative effects of adopting such positions.

The next step is for AIHK to assess how these positions will affect our membership and our alliances with partners – including women's groups, faith groups and others. In the next few months we will start to do this and feed back this information to the IS.

The decisions above are only the first step towards adopting a holistic approach to a policy of protecting sexual and reproductive rights.

Any members who want to read the background documents or express views on the issue please contact the AIHK office at 2300 1250.

# 香港同志影展

## The Hong Kong Gay and Lesbian Festival

一年一度的香港同志影展，上演以同志為題材的電影，而今年是本會第三次贊助是項活動。本會贊助的獲獎影片《紙娃娃》講述菲律賓的變性人走到以色列當照顧長者的工人。由於這些工種連當地人也不屑一顧，因此令以色列引入了不少菲律賓的變性人群集居。而他們的僱主大多是信奉東正教的猶太人，反而建立起感人至深的主僕關係。在不用工作的日子裡，這班同鄉愛走在一起，除了在特拉維夫市街頭淪為毒品皇后之外，他們又組成一個名為「Paper Dolls」的表演劇團，為公眾上演他們有家歸不得的故事。

本會同時亦贊助了兩齣香港製作的同志紀錄片，《面對面》講述一群學習「Playback Theatre」的人士，一起用他/她們的身體語言來表達各自對同性戀的體驗和看法。其中五位勇士，更在鏡頭前講述他/她們身為同性戀者的掙扎過程。

而自90年代初，六四吧便一直默默地支持本地同志社群，不理外間對同志的排擠及非議。2004年10月，六四吧易手，全城傳媒追訪，在《六四吧 - 人、情、空間》中，一眾知名文化、藝術工作者、議員及社運成員等，齊齊論盡十多年來一起構築的集體記憶。

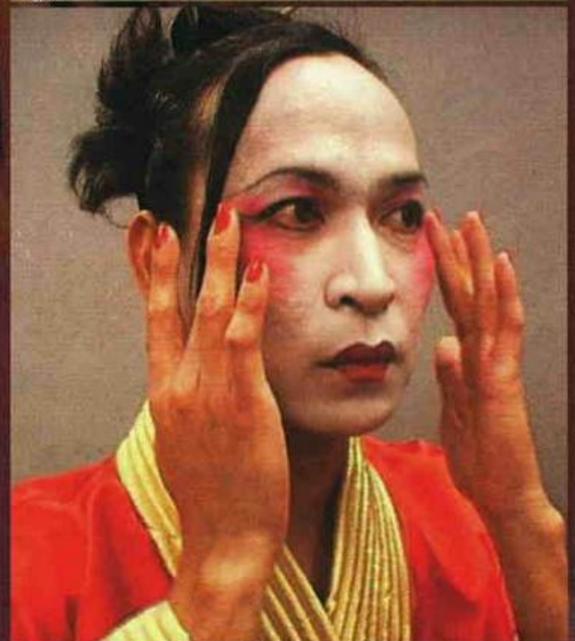
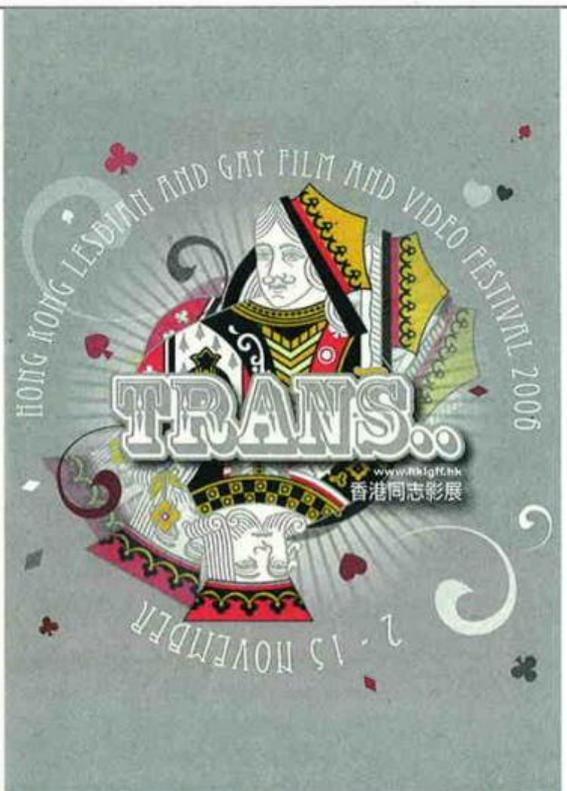
如想知道更多本會的同志組消息，可電郵至 [lgbt@amnesty.org.hk](mailto:lgbt@amnesty.org.hk)

The Hong Kong Gay and Lesbian Festival is an annual event, showcasing a variety of films on Lesbian, Gay, Bisexual and Transgender (LGBT) issues. For the third year AIHK has been involved as one of the festival's sponsors. The festival is a much-needed community event, one of the few such events in Asia.

AIHK was pleased to sponsor "Paper Dolls", an award-winning documentary about the lives of transsexual Filipinos who work as carers for the elderly in Israel. The film shows that in many cases they form an unlikely close relationship with the elderly orthodox Jewish men they care for. We see how they use their day off to perform in drag shows, something they would not have the courage to do at home in the Philippines. The screening gave AIHK a platform to introduce AI's new campaign supporting activists within the Philippines lobbying for legislation against discrimination on grounds of sexual orientation.

AIHK also sponsored two short Hong Kong films. It's a common complaint of the LGBT community that there just aren't enough of us visible. "Face to Face" shows five individuals from Playback theatre openly discussing their sexual identities, demonstrating that not all Hong Kong's gay and lesbians are closeted. The second film, "Club 64: Folks, Affections and Space" documents the last days of a familiar landmark. Long-term AIHK members will remember how Grace, one of the former owners of Club 64, at one time provided us with space for meetings, and was similarly generous to other activist groups.

To get involved with AIHK's campaign on the Philippines and to learn more about our LGBT work, please contact [lgbt@amnesty.org.hk](mailto:lgbt@amnesty.org.hk).



中間/Middle: William Roy Leung



## 法庭裁決 還香港同志公平待遇

### Court's ruling a step to equal treatment for the gay community in Hong Kong

今年九月，上訴庭維持夏正民法官對 William Roy Leung 訴律政司一案作出判決，裁定《刑事罪行條例》118c 條將 21 歲以下男性自願的同性性行為定為罪行，違反了《基本法》所保障的隱私權和獲得公平對待的權利，國際特赦組織香港分會對判決表示歡迎。

2004 年 12 月，在香港首宗涉及同志權益的案件中，William Leung 就合法年齡條文中的歧視成份作出挑戰。去年 8 月，法院宣判法例其中四項條文違反憲法（即違反《基本法》）。香港政府雖然承認法例其中三項帶有歧視性，但卻就餘下一條，亦即有關《刑事罪行條例》118c 條的判決提出上訴。該判決將男同性戀者的合法性交年齡從 21 歲降至 16 歲，使合法性交年齡與異性戀人士相等。

國際特赦組織香港分會策劃經理孔繁強表示：「我們歡迎法庭的裁決，特別是當政府不斷拒絕制定反歧視法的時候。」

《刑事罪行條例》118c 條不單鼓吹了香港社會針對同志社群的歧視態度，也窒礙了在同志社群中推廣性教育的努力。年輕的同性戀者需要安全性行為的教育，但這些歧視性的法律抹黑了年青的同性戀者，將他們看成為次等公民，也使人錯誤地以為未成年的男同性戀者比未成年的女性同性戀者更需要保護。

國際特赦組織香港分會策劃經理孔繁強指出：「刑事化不會保護他們。香港的同志社群一直為爭取平等待遇而努力，今日的裁決正移除他們面對的其中一個障礙。」

Amnesty International Hong Kong is delighted that the Court of Appeal has upheld the decision of Mr. Justice Hartmann in Leung TC William Roy v Secretary for Justice.

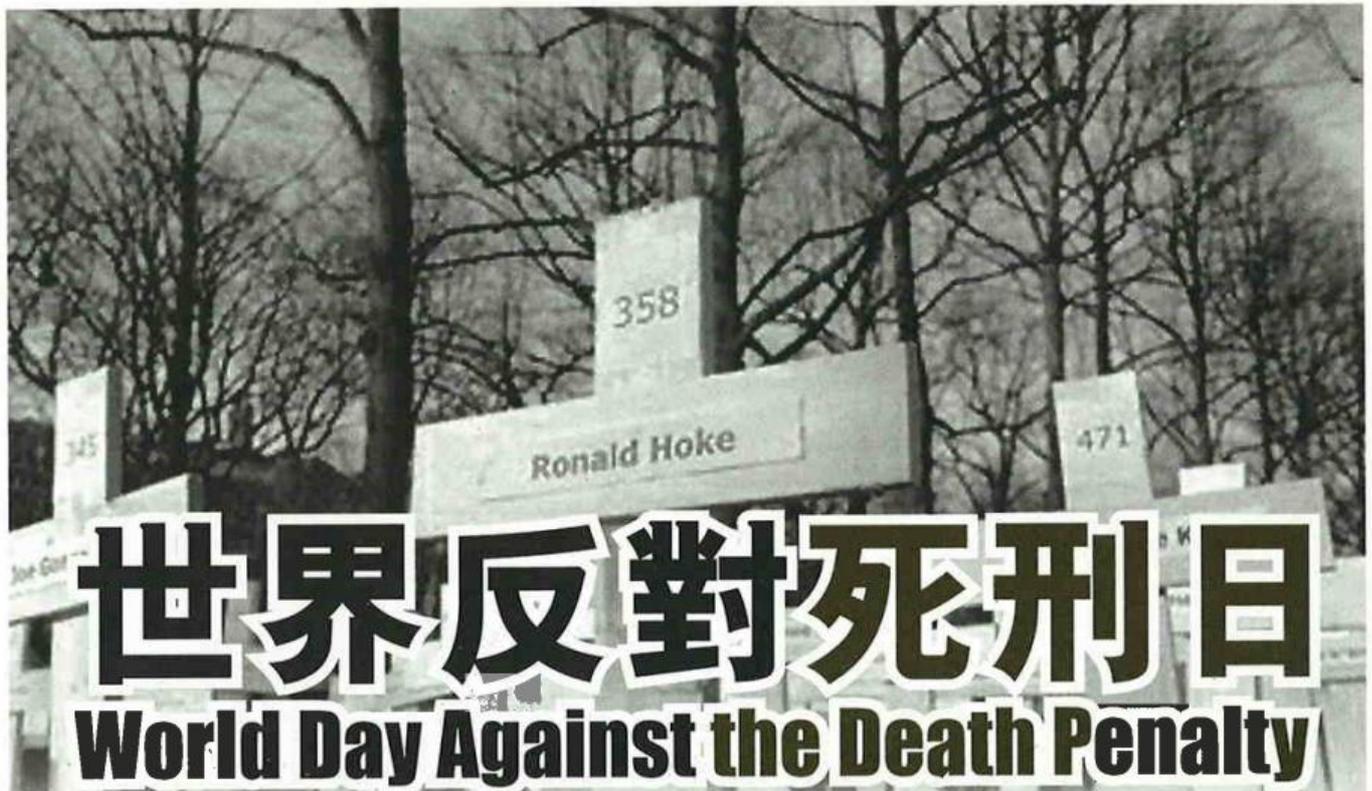
In December 2004, William "Billy" Leung challenged the discriminatory age of consent laws in the first "gay rights" case to be heard in HKSAR. The judgment handed down in August 2005 declared four sections of the law unconstitutional. The HKSAR government conceded three of the four sections were discriminatory but appealed the ruling in respect of Section 118c of the ordinance, which brought the age of consent for gay men down from 21 years to 16 years so as to be in line with the age of consent for heterosexuals.

In criminalizing men under the age of 21 who have sex with men and those who have sex with them, Section 118c breached both the right to privacy and the right to equality guaranteed under the Basic Law.

According to Billy Hung, Fan Keung, Campaign Manager for AIHK, "This decision is doubly welcome in the face of the government's persistent refusal to enact anti-discrimination legislation".

A clear effect of Section 118c is to criminalize consensual sex between gay men under the age of 21, promoting a discriminatory attitude to the LGBT community in Hong Kong and hampering sex education efforts amongst the community. Young gay men need better safe sex education. Discriminatory laws reinforce the stigmatization of gay youth and impose a status of second class citizenship upon this group, as does the perception that for some reason adolescent gay males need more protection than adolescent girls.

"Criminalizing consensual sex between gay men under 21 doesn't provide them with protection," said Billy Hung, "Hong Kong's gay community is struggling to be visible and be treated equally. Today's judgment removes one of the obstacles they face".



# 世界反對死刑日

## World Day Against the Death Penalty



十月十日是「世界反對死刑日」，世界各地都有反對死刑的活動。今年，剛成立的「亞洲反對死刑聯席」也有成員組織各自所屬的國家舉行活動，推動亞洲各國儘快廢除死刑這種嚴重侵犯人權的刑罰。

今年的十月十日，國際特赦組織香港分會作為聯席的成員，聯同香港天主教正義和平委員會舉行公眾教育活動，喚起大眾對死刑問題的關注，當日的活動於尖沙咀天星碼頭舉行，活動包括在街頭擺放有關死刑的展板、派發傳單及進行公眾意見調查。

### 背景資料：

目前全世界197個國家中，129個國家已經不使用死刑（已廢除或停止執行），僅剩68個國家仍保有死刑。

在2005年，絕大部分的處決都集中於少數國家，94%的已知處決發生於中國、伊朗、沙特阿拉伯和美國，單在中國，就有至少1770人被處決，伊朗處決了94人，沙特阿拉伯處決了86人，而美國則處決了60人。

在1998年12月至2005年8月期間，至少有121香港居民在境外被判死刑或死緩。

10th October is the "World Day Against the Death Penalty". The recently formed "Anti-Death Penalty Asian Network" (ADPAN) also organized activities in its member countries this year to call for the abolition of the death penalty in the region.

As a member of the Network, AIHK organized a public education activity together with the Justice and Peace Commission of the Hong Kong Catholic Diocese on that day at Star Ferry Pier, Tsim Sha Tsui. Activity included: display of exhibition boards, leaflets distribution and public opinion survey.

### Background information:

Out of the 197 countries in the world, 129 had abolished the death penalty (in law or in practice), only 68 countries retain the death penalty.

In 2005, 94 per cent of all known executions took place in China, Iran, Saudi Arabia and the USA. In China, at least 1,770 people were executed during the year. Iran executed at least 94 people, and Saudi Arabia at least 86. There were 60 executions in the USA.

From Dec 1998 to Aug 2005, at least 121 Hong Kong residents had been sentenced to death or on a suspended death sentence outside Hong Kong



六名印尼工會領袖 (Robin Kimbi, Masri Sebayang, Suyahman, Safrudin, Akhen Pane 及 Sruhas Towo) 今年二月及三月被當地 Bangkinang 地區法院 (Riau Province, Sumatra) 判處入獄14個月至2年不等。

該六名工會領袖隸屬於印尼林木工會 (Serikat Pekerja Perkayuan dan Perhutanan Indonesia, SP Katuhindo)。工會曾就爭取合理工資、產假及月事假等問題，嘗試與僱主 Musim Mas 進行談判。可是，他們的訴求不但不獲應允，其中四人包括工會主席 Robin Kimbi，於2005年2月更被僱主解僱，另外五名工會領袖則被迫辭職。

事後，工會於2005年9月14日在工廠外發起罷工抗議，有約一千名會員參加。抗議期間，工廠的大閘被推倒，有兩名公司員工受傷。六名工

會領袖 Robin Kimbi, Masri Sebayang, Suyahman, Safrudin, Akhen Pane 及 Sruhas Towo 則被警方拘捕，被控以「公然侵害他人或財物」的罪名。在整個聆訊中，雖然沒有半點證據顯示六人曾觸及大閘，但法院卻裁定他們罪名成立。

國際特赦組織相信，他們被定罪是與其工會領袖的身份有關。此外，僱主及政府當局更欲藉大閘的損毀為藉口，伺機打壓及削弱工會力量。事實上，在該次罷工抗議後，有逾千名工會會員被僱主解僱。

我們獲悉，其中三名已被釋放，但 Robin Kimbi, Masri Sebayang 及 Sruhas Towo 仍被囚禁。

國際特赦組織認為該三名工會領袖，純粹是因和平地行使其結社及集體談判自由而被當局判處入獄，故認為他們是良心犯，並要求當局立即無條件釋放他們。



# 印尼工會成員被囚——請即行動!

## Indonesian Trade Unionists imprisoned

# TAKE ACTION!

Indonesian trade union leaders, Robin Kimbi, Masri Sebayang, Suyahman, Safrudin, Akhen Pane and Sruhas Towo, were sentenced to prison terms of up to two years in February and March 2006 by the Bangkinang District Court, in Sumatra.

The six men are members of the Indonesian Wood and Forestry Workers Union (Serikat Pekerja Perkayuan dan Perhutanan Indonesia, SP Katuhindo). Their employer, Indonesian company Musim Mas, had refused to negotiate with the union on wages and working conditions.

On 14 September 2005, the union staged a demonstration outside the factory's gate, in which almost 1,000 union members took part. At one point the factory gate was pushed down, injuring two company employees.

The six union leaders were arrested. They were charged and sentenced with "openly committing violence against persons or property" although there is no indication that they were involved in any violence. There was no evidence presented during the trial that the six men came into contact with the factory gate.

The damage which occurred during the demonstration seems to have been used by Musim Mas and the local authorities as an excuse to arrest the six men as well as to weaken the union. Since the demonstration Musim Mas has dismissed more than 1,000 union members.

Akhen Pane, Safrudin and Suyahman were released on 24 October 2006, but Robin Kimbi, Masri Sebayang and Sruhas Towo remain in detention.

Amnesty International considers the three men to be prisoners of conscience who have been detained purely for the peaceful exercise of their right to freedom of association and collective bargaining and is calling for their immediate and unconditional release.



Please write to the President of Indonesia to express your concern about the detention of these union leaders. We encourage you to write your own letter but please go to [www.amnesty.org.hk](http://www.amnesty.org.hk) to see a sample letter in English to see a sample letter in English which you are free to use or adapt.. Don't forget to add your own address.

President Susilo Bambang Yudhoyono  
President of the Republic of Indonesia  
Istana Merdeka, Jakarta 10110, Indonesia  
Fax: + 62 21 345 2685 (via State Secretariat) / + 62 21 526 8726  
Email: [president@ri.go.id](mailto:president@ri.go.id)  
Salutation: Dear President

If you want to learn more about our work on Indonesia, please contact [se\\_asia@amnesty.org.hk](mailto:se_asia@amnesty.org.hk) or call 2300 1250. Sarah, the group coordinator, will reply to you.

# 國際特赦組織 Amnesty International

國際特赦組織是一個獨立自主的機構，我們不會接受任何政府或政治團體的捐獻，而只是倚仗熱心的市民大眾的捐款，以支持我們捍衛人權及生命的工作。因此您的慷慨支持對我們的工作實在非常重要。

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You can support our work to protect human rights by making a donation to us, especially through monthly automatic payment as it can definitely help save administrative costs, and your ongoing and continuous support can also enable us to plan our human rights programmes more effectively.



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