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都決定人權
是否被
踐踏。

HR
人權 

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



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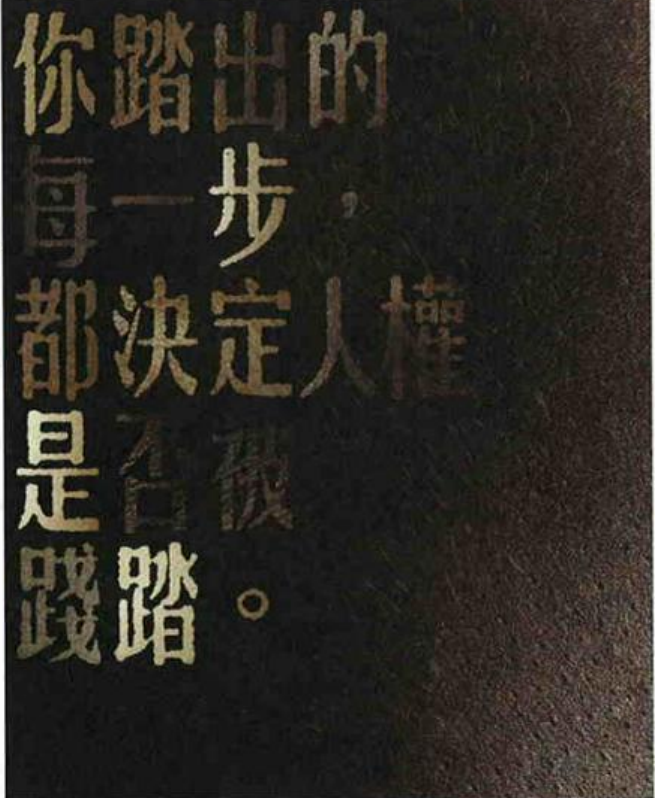


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為人權發聲

踏入2007年，世界各地的侵權事情依然繼續。今年，是關塔那摩監獄關押囚犯的第五個年頭；今年，也是蘇丹達爾富爾地區仍陷入混亂局面的第四個年頭。至於香港，踏入2007年不久，就發生了因香港電台播放探討同性戀的特輯而受到廣管局強烈動輒，引起了社會各界討論新聞自由和同性戀者的平等待遇問題。

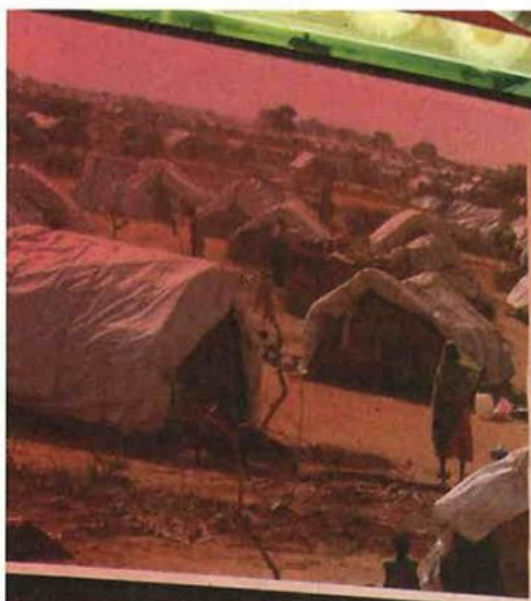
以上種種事件，我們可以看到，仍有不少人因為他們的種族、膚色、性別甚至是性取向而受到虐待和歧視。不論是香港還是國際社會，仍然有無數侵犯人權的行為發生。新的一年對他們來說，不是一個新的開始，而是惡夢的延續。

我們一直大聲疾呼，為被遺忘和受到歧視的人發聲。在新的一年，就讓我們不忘所有人生而平等，我們必須尊重每一個人的權利，即使他們有相反意見。也讓我們在此向他們、還有所有曾為人權而努力的人送上祝福，希望在新一年裡，明天會更好。

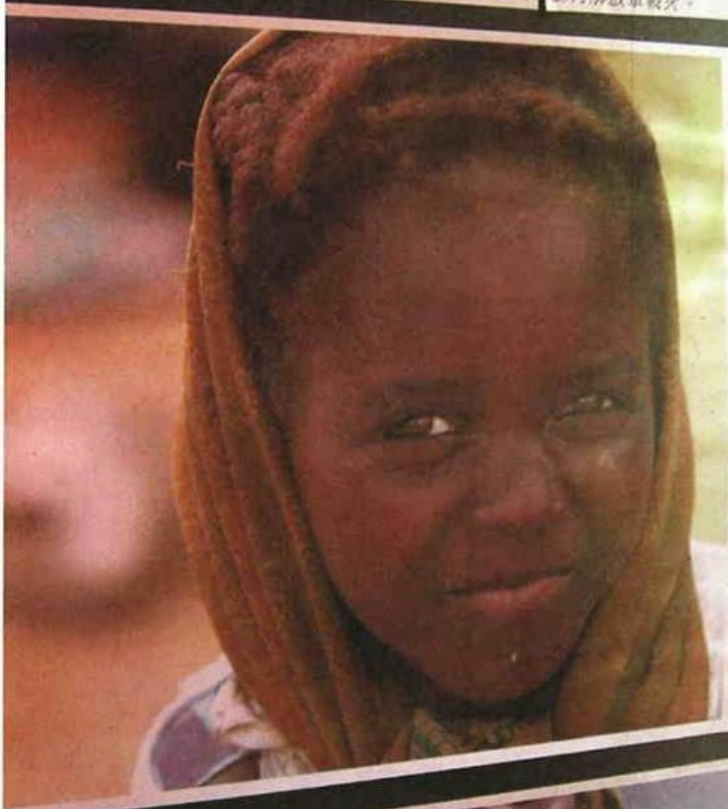
2007 marks the fifth year since the first detainees were transferred to the detention camp at the US Naval Base in Guantánamo Bay, Cuba. On 30 January 2007, helicopter gunships, ground forces and an Antonov airplane bombarded South Darfur. In the last 4 years the area was in turmoil and even up to now, the African Union has not been able to effectively protect civilians from attacks by armed groups, and attacks are continuing with impunity.

Here in Hong Kong, a row broke out at the beginning of 2007 over a TV programme on homosexual marriage, and the number of domestic violence cases is still staggering. All of these incidents indicate that there are still a lot of people suffering, because of their race, their gender, and their sexual orientation. A new year, to them, does not mean a new beginning, but the continuity of the suffering.

In our silence we are complicit. At the beginning of 2007, let us be reminded that diversity is part of the richness of Hong Kong and of any society. We should respect the right of everyone, including those with opposing views, to freedom of expression. Let all of us take the courage to voice out for the rights of those being forgotten, and those being suppressed.



蘇丹達爾富爾南部
近 Nyala 的
Kalma 難民營。
國際特赦組織探訪了該營。
營中有八至十萬個
來自各個村落的難民，
都是為了逃避
Janjawid 游擊隊和
蘇丹解放軍戰火。





祈美寶(左)在菲律賓已積極參與社會運動
 Milagros Isabel Christobal Amar (Left) in activism in the Philippines



國際特赦組織香港
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國際特赦組織總幹事

祈美寶寄語

Words from
 Milagros Isabel Christobal Amar, AIHK's New Director

我是一個律師，也是兩個女孩的母親。自從在菲律賓大學修讀法律開始，我便一直從事人權工作，畢業後在菲律賓當大律師。

在菲律賓頒佈戒嚴令的年代，我在一家幫助酷刑受害者中心當主席。後來中心成為一所復康中心，並且擴展工作至協助因武力衝突而被迫流亡的受害者。

在法學院畢業以後，我先在免費法律支援組織當律師助手，之後成為一位人權律師。我第一年執業就處理人權案，專職政治犯的案件和到軍事羈留中心探訪。與政治犯接觸的經驗，令我漸漸多關注起強迫失蹤的問題。

另外，我也開始關心婦女問題，並參與菲律賓婦女組織 Gabriela 的工作，處理婦女遭暴力對待的議題。我與其他幾位志願者合力成立了菲律賓第一個婦女危機中心，為遭強姦和家庭暴力的婦女提供輔導和法律援助。

婦女工作自然地令我也留意兒童和移民問題，我亦多了為勞工和移民奔走，特別希望幫助移民勞工。我先在 Kanlungan 中心協會當義務律師，專責處理違反勞工法的案件與被檢控走私案。愈多處理移民案，愈令我希望透過鼓勵移民投入自己的積蓄、財產和社區資源，創業做小生意，令生計得以維持，減輕貧困和推進社會經濟發展。直至菲律賓廢除死刑，我也參與反對死刑工作小組的工作，甚至將死刑議題，引入菲律賓最高法院。

經過在不同的非政府組織和人權組織工作多年，我關注的範圍轉移至組織本身的發展，並當上組織的管理層。我也有機會到政府和其它企業工作，獲取了很多如組織管理、籌款、行政、項目發展和執行等的工作經驗。我最近最重要的工作，就是調查前總統馬可斯在實行戒嚴令和其執政期間，因瀆職而累積到的財富。這些財富全都被分散藏在不同國家的銀行和公司中。

帶著以往的工作經驗和視野，我就任國際特赦組織香港分會的總幹事。我很高興能繼續為人權發聲，並在異國與新朋友和人權工作者一起面對種種挑戰。

本會2007年度執行委員會已經於2006年12月14日的周年大會上誕生，名單如下：

AHIK Executive Committee 2007 was elected in the Annual General Meeting on 14 December 2006. They are:

Post 職位	Name 姓名
Chairperson 主席	Tan Kong Sau 陳江秀
Vice-chair 副主席	Dominique Muller
Treasurer 司庫	Hugh Whitby
Secretary 秘書	Venus Cheng 鄭雅詩
Executive Committee member 執行委員	Medeleine Mok 莫羨嫻
Executive Committee member 執行委員	Kelley Loper
Executive Committee member 執行委員	Nicholas James Lemmon
Executive Committee member 執行委員	Michael John Vidler
Executive Committee member 執行委員	Chong Yiu Kwong 莊耀洸
Executive Committee member 執行委員	Si-si Liu 廖珮珊

I am a lawyer by profession and a mother of two girls. I have been in the field of human rights work since I was a law student at the University of the Philippines, up to and until I graduated and became a member of the Philippine Bar.

I was the director of the centre set up for victims of torture during the martial law years in the Philippines. The centre was later reorganized to become the Balay Rehabilitation Center, which later expanded its work to helping victims of internal displacement due to armed conflict.

After finishing law school, I worked full time with the Free Legal Assistance Group as a paralegal, then as a human rights lawyer. I developed my skills and devoted my first years of law practice to human rights work, handling cases of political prisoners and visiting military detention camps. From working with political prisoners, soon I was deeply involved in the issue of involuntary disappearances.

Soon I became interested in women's concerns, and I got involved with a women's coalition in the Philippines called Gabriela, focusing on VAW (violence against women) cases. I teamed up with several other advocates and set up the first Women's Crisis Center which was dedicated to helping victims of rape and domestic violence by giving counseling and legal assistance.

My work on women's issues inevitably led me to working with children and migrants issues as well. Later, I also got involved in the field of labour and migration, again handling cases involving problems and concerns of migrant workers. Starting as a volunteer lawyer for the Kanlungan Centre Foundation which is a centre for migrant workers focusing on cases involving recruitment law violations, I later became involved in prosecuting cases of trafficking. Still later, the advocacy for migrants led me to be involved in the promotion of social entrepreneurship among migrants by building sustainable and socially viable enterprises for them to be invest in and by mobilizing savings, investments and community assets, to alleviate poverty and enhance socio-economic development. And, until the abolition of the death penalty in the Philippines, I was also part of the Anti-Death Penalty Task Force that brought cases and raised the issue of the death penalty in the Philippine Supreme Court.

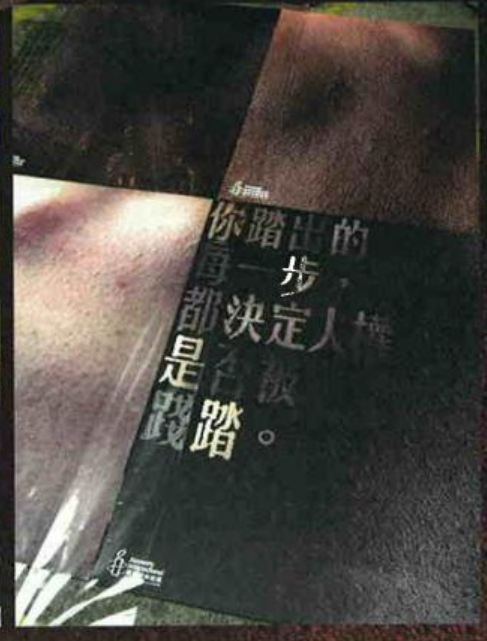
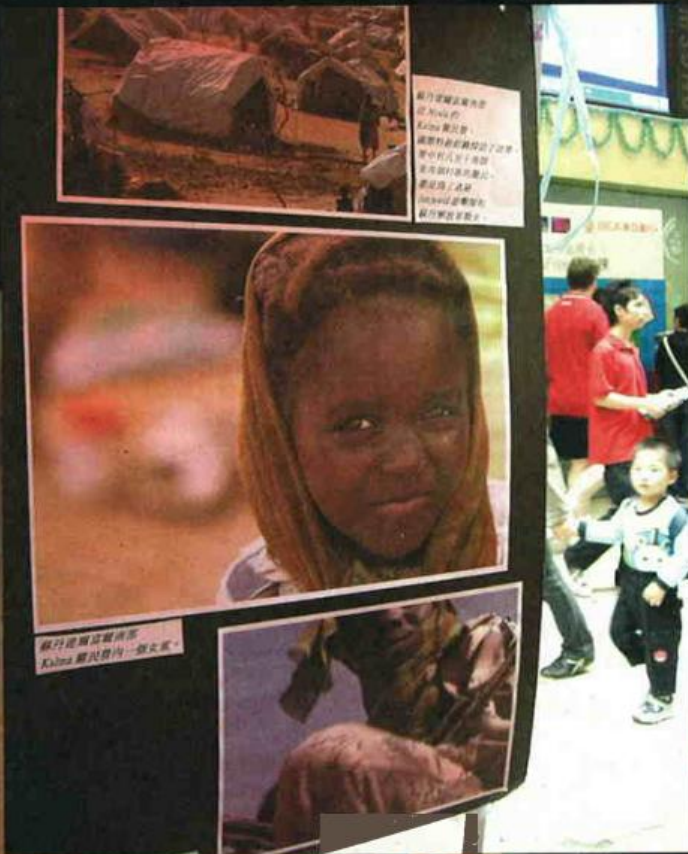
Through the years of working with different NGOs and human rights groups, I got caught up with organizational concerns and became part of the policy making bodies of these groups. Later, I had the chance to work with other government and private corporate offices as well, where I gained a lot of experience and developed a lot of insights on other organization concerns such as fundraising and management, project monitoring and implementation. My most recent and significant work involved being part of the team that has been working to recover the ill-gotten wealth amassed by the former president Marcos during martial law and through out the period he ruled the Philippines, and which were all hidden in the different banking institutions and corporations in different countries.

I now take my years of work, experience and insights and bring them with me as I now assume the responsibility of Director of the Amnesty International Hong Kong Section. I am happy to be continuing my work as a human rights advocate and face the challenges of working in a different country, with new friends and fellow human rights workers.

拒絕被遺忘的人權故事 Human Rights Stories

2006年12月10日是國際人權日，本會聯同其他民間組織舉行了一連串活動，宣揚人權訊息。其中廣邀學校參加「拒絕被遺忘的人權故事」徵文比賽，現將部份得獎作品節錄供各位欣賞。所有作品可在以下網站讀取：
<http://alliance.org.hk/hrd2006>。

2006 was the 58th Anniversary of the UDHR. On 10 December, AIHK, together with civil groups organized public education activities at Causeway Bay to spread the message of human rights to the community. Workshops and writing competition were conducted to explore the issues of human rights and trade, globalization and war on terror. For details please go to <http://alliance.org.hk/hrd2006>



成諾文 越南街童

事件發生在越南，當地將要舉行亞太經濟合作會議等重要會談，由於國內有近二萬多名街童經常聚集於各旅遊景點，政府便以「有損國際形象」為由，圍捕街頭孩童。

難道兒童就不值得尊重，街童就沒有人權嗎？在這些落後國家，道德觀念都比較落後，社會仍然有階級之分，男女不平等的現象。身處此地的小童，在政局混亂的社會中更容易被成年人忽視，所以有必要保護他們應有的權利。人權，就是屬於所有人，並且是不可剝削的權利，當然包括自我保護的權利，況且小孩應在校園裡快樂地學習，而不是在拘留所中被人虐待。



黃信裕

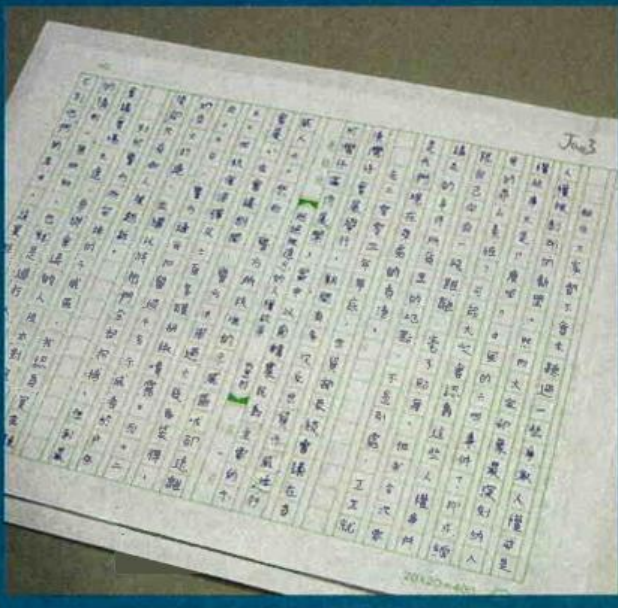
人類著重個人權利，所以在行使人權時往往可能傷害他人的基本權利，因此人權在某種情況下需要受到恰當的限制。在《公民權利和政治權利公約》，有關言論自由的一節強調，任何鼓吹民族、種族或宗教仇恨之主張，都會構成煽動歧視、敵視者，應以法律止之。好像早前丹麥《德黑蘭郵報》早前刊登了一輯侮辱回教穆罕默德的漫畫，引起伊斯蘭世界強烈抗議，正正在鼓吹宗教仇恨，國際應予譴責。

不過，這種限制絕不能淪為箝制人權的藉口。在一個尊重法治的民主社會裡，言論自由的價值比保障政府和政客的名譽更為重要，因此誹謗法不應被挪用為保護政府工具。安圭拉政府下令停辦節目，根本沒有法律的依據，反而違反了言論自由的人權法，及社會接受思想表達的權利。安圭拉政府的做法與箝制新聞自由根本無異。



黃兆威

然而，大家又有沒有留意香港也有一位致力捍衛人權的鬥士。他是誰？他便是新任大律師公會主席——戴啟思。雖然他來自英國，但他卻十分熱心香港的人權問題。他為捍衛公屋居民的利益，以律師身份代表公屋居民向房屋署提出訴訟。不過，最後法庭還是判公屋居民敗訴。但他至少在這件事得到社會關注，市民的留意，雖則這件事件不及那些國際人權鬥士的偉大，但不竟都是為人民憤抱不平，是本港人權的典型例子。



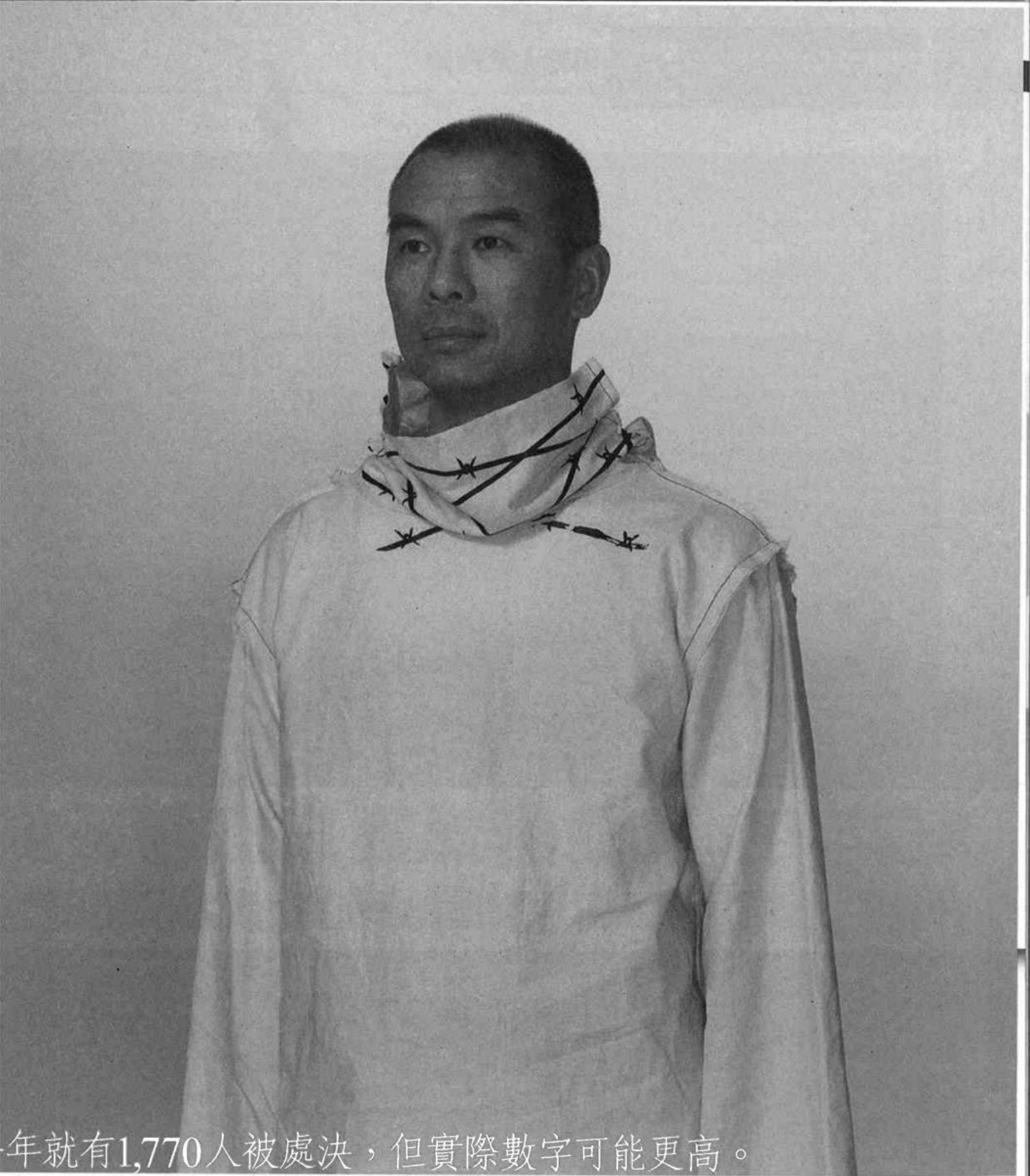
陳穎欣 想渴水

忘了甚麼是雨，只知道家中的田已經好多年長不出小草。媽媽天天都要走好遠的路去挑水回家。我說要跟媽媽一起去挑水，媽媽卻搖搖頭的說不。她說去那裡要攀山越嶺，也許會遇上野獸還要走過叛軍叔叔的家，太危險小孩子不可以去。我聽了以後好好怕，野獸會不會有一天吃掉了媽媽？軍人叔叔會不會有一天就像抓掉哥哥爸爸一般奪去了媽媽？妹妹跟我就只得媽媽一個了，要是連媽媽都不見了那我們怎麼辦？我真的很渴很渴，可是我不要水，我只想要媽媽……





目前，全球至少有24,546人被判死刑正等待行刑；在中國，
有你的一分力，人人都有呼吸的自由。



年就有1,770人被處決，但實際數字可能更高。

關塔那摩囚犯Fawzi Al-Odah 的父親Khalid Al-Odah的公開信

想想吧。在過去五年裡，世界上最強大的美國推翻了殘酷的獨裁者薩達姆·侯賽因。薩達姆在2003年下台後，美國軍隊把他捉起來，將他送上法庭審判，給他判了罪名，又把他處決了。

又在這五年裡，教宗若望保祿二世、里根和阿拉法特都死了。備受科威特人愛戴的酋長Japer AlSabah 也過世了，迎來新的統治者、新皇子、新總理和一個新的國會。

五年裡發生了這麼多事，但對我那自2002年1月11日起便囚禁在關塔那摩灣的兒子Fawzi 來說，時間凝固了。Fawzi在一個6.8乘8尺的小牢房裡被單獨監禁著，無法與家人聯絡。他得到的待遇，比一個美國的死囚更差。這樣的經驗給Fawzi以至我們整個家庭帶來無法磨滅的烙印。我們生存，最終是為了什麼？

當我們一家人在2002年初得知Fawzi被拘留，我們仍非常樂觀，以為最多在幾個月內，法庭便會判他清白無罪。歸根究底，美國人相信正義，審判迅速，痛恨異常殘暴的處罰，而在被證明有罪前，所有人都是無辜的，沒人能凌駕在法律之上。最要緊的是，這些已經清楚寫在美國的憲法裡，並且在法律制度內得到實踐。

可是，終歸一場迅速而公平的審訊並沒有出現。相反，多年來美國政府沒有為案件進行聽證。就算最終他們進行了聽證，負責聽證的官員與獄卒關係密切，聽證只是一場笑話。沒有民主的國家會容許毫不獨立的審訊。為什麼美國要這樣做？

出於對美國的信任，我們一家人向美國法院申明我們的不滿和委屈。布殊政府竟想方設計阻攔有關行動。然而經過與美國司法體制搏鬥兩年後，我們漸漸熄滅的希望又再復燃，因為美國最高法院在拉蘇爾對布殊一案中，闡明法院有權判決監禁外國人的方式是否恰當。

這個判決表面上給了我們希望。但再次，布殊政府把美國獨立的聯邦法庭制度立於危牆之下，選擇成立軍事法庭，有關聽證人員直接聽令於政府，而不是由獨立的法官負責審訊。司法獨立、適當的程序、正義，通通都沒有。

2006年6月，正當薩達姆·侯賽因在伊拉克接受審訊的時候，一名關塔那摩囚犯控告布殊下令成立的軍事審訊，美國最高法院再次裁定政府敗訴，維持囚犯的指控。可惜三個月後，美國國會通過軍事權限法案，再次打擊我們向獨立法庭申訴的可能性。因為這條法案，我的兒子連出庭這種每個囚犯都應得的基本權利也被剝奪了，並且要接受一個不獨立和審訊緩慢的法庭審判。我的兒子無法選擇自己的律師，無從得知對他不利的證供，審訊卻包涵屈打成招的供詞，也從不告知他何時可以獲釋。這種史無前例、沒有期限、也不容許犯人接觸家人的美式拘留，已經踏入第五年了。

我這個做父親的，因著美國的制度阻止兒子接受公平、迅速的審訊，不准他與家人聯絡的做法，已徹底摧殘了我。我明白監獄並非舒適的地方，但兒子和其它囚犯在關塔那摩所受到的懲罰，被一般的罪犯更重。在監獄裡，他們面對極度迷茫的命運，也與他們所愛的人隔絕了。這不可能是美國的做事方式。這只是殘酷和異於常態的縮影。

我的兒子在2001年到巴基斯坦和阿富汗邊界進行援助工作，幫助貧困的人和提供教學。他是一個高尚也充滿慈愛的人。在2001年的9-11襲擊後，兒子嘗試越過邊界回到科威特的家。途中，一名巴基斯坦人捉拿他，並將他交給美國軍隊。我的兒子是時勢的受害者，而不是對美國的威脅。我確信如果Fawzi獲得獨立審訊的機會，他一定會被無罪釋放。

如果布殊政府以為我的兒子是危險人物，或者類近美國官員所稱呼的「壞人中最壞的人」，為何全球最強大的政府竟害怕讓

五年了! 獨立審訊與家庭聯系俱 Five years now! - No independent hearing;

關閉關塔那摩 十件你可做的事

第一批由美國海軍基地遷移到古巴關塔那摩拘留的人士，已遭關在獄中超過五年了。儘管國際強烈譴責，30個不同國籍、超過幾百個人仍被關押；未被起訴，而獲得一次公平審訊的機會更是渺茫。

業已成為不公義和濫權虐待代表的關塔那摩監獄必須被關閉。立即與全球各地支持者，聯同被拘留人士及其家人，以堅實的聲音，要求美國政府關閉關塔那摩監獄！

如想知道更多，立即登上 <http://web.amnesty.org/pages/stoptorture-070111-features-eng>

Top 10 things that you can do today to CLOSE GUANTÁNAMO

It is now over five years since the first detainees were transferred to the detention camp at the US Naval Base in Guantánamo Bay, Cuba. Hundreds of people of more than 30 nationalities are still there: without charge, and with little hope of obtaining a fair trial.

Guantánamo Bay is a symbol of injustice and abuse. It must be closed down.

Join activists worldwide TODAY in showing solidarity with the detainees and their families, demanding the US government close Guantánamo! For details please go to: <http://web.amnesty.org/pages/stoptorture-070111-features-eng>

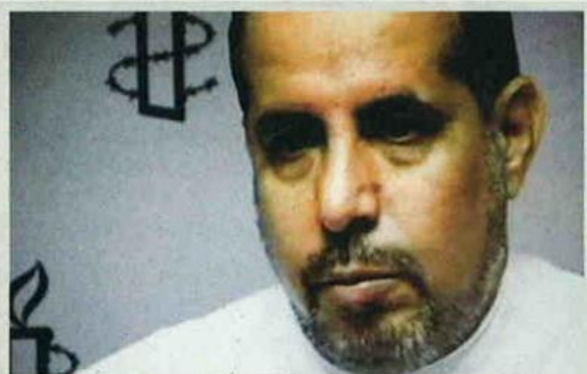
我的兒子接受獨立審訊？為何美國總統竟會恐懼兒子接受曾審理殺人兇手、強姦犯、銀行搶劫犯、歹徒，甚至是奧克拉荷馬城炸彈案主犯麥克維的獨立的美國法庭審判？

我對美國的價值觀和司法系統依然充滿信念。但是積累了五年的失望，足以磨滅我對布殊政府維護美國價值的信心。

在關塔那摩海灣監獄成立五周年之際，我祈求正義得在關塔那摩六周年來臨前得以彰顯。我要感謝國際特赦組織和其他人，曾經幫助我代表那些無法為自己戰鬥的人，繼續戰鬥。

主祐美國，以及被監禁在關塔那摩的年青人，得到公平審訊及自由。

(本文純屬個人意見，並不代表國際特赦組織的立場。)



關塔那摩監禁人士Fawzi Al-Odah 的父親：Khalid Al-Odah
Khalid Al-Odah, father of Guantánamo detainee Fawzi Al-Odah

would be tried, and his innocence would be established. After all, Americans surely believe in justice, in speedy trials, in avoidance of cruel and unusual punishment, that men are innocent until proven guilty, and that no one is above the law. In fact, all of this is written in the U.S. Constitution and established in the American legal system.

However, a quick, fair trial is not what happened. The U.S. government did not give any hearing for years. Then, they provided hearings which were a farce because hearing officers were not independent of the jailor. Why is America doing this? Believing in the American way, my family and I took our grievances to the U.S. courts. The Bush administration used all its might to block us. Yet, our diminished hope was renewed when the U.S. Supreme Court ruled in *Rasul v. Bush* that the U.S. court system had the power to determine whether foreign nationals were rightfully imprisoned.

However, in 2006, the U.S. Congress continued to frustrate our access to an independent tribunal by enacting the Military Commissions Act. This act prevents my son from challenging his detention in a habeas corpus petition – a basic right of all prisoners – and reverts to the use of a tribunal for trials that is not independent, does not afford our son a right to counsel of his choosing, does not exclude evidence that results from torture, and does not give any time frame for release. Thus, this unprecedented American indefinite detention without any family contact continues – now about to achieve a five-year milestone.

As a father, I am devastated by the American system being used to prevent my son from receiving a fair, speedy trial and from any contact with his family. Our son is an honourable, charitable man who travelled to the Pakistan/Afghanistan border region in 2001 to do aid work, to help the poor, and to teach. After the attacks of September 11, 2001, our son tried to flee the region and return home to our family in Kuwait. En route, he was captured by Pakistani bounty hunters who immediately turned him over to U.S. forces. Our son is a victim of circumstances, not a threat to America. I am confident that if Fawzi were

欠！這是美國人的做事方式嗎？ No family contact! Is this the American way?

by Khalid Al-Odah, father of Guantánamo detainee Fawzi Al-Odah

Consider this. Over the course of the past five years, America, the most powerful country on earth, overthrew Saddam Hussein, a ruthless dictator. And after Saddam's fall from power in 2003, US forces captured him, and he was tried, convicted and executed. In those same five years, Pope John Paul II, Ronald Reagan and Yasser Arafat have died. Kuwait's beloved ruler, Sheik Jaber AlSabah has passed away and we have a new ruler, a new crown prince, a new prime minister and a new parliament.

So much has happened in the past five years, and yet for my son Fawzi -- detained in Guantánamo Bay since January 11, 2002 -- time has stood still. Fawzi has spent his days in a 6.8ft x 8 ft cell, often in solitary confinement and denied all contact with his family. Even death row inmates in U.S. prisons are treated better than this. Fawzi's treatment has irreparably scarred him and our family. And for what?

When my family learned of Fawzi's detention in early 2002, we were optimistic that, within a matter of months, at most, he

to be charged and tried by an independent tribunal, he would be acquitted and released.

If the Bush administration believes my son is dangerous, among what U.S. officials have called the "worst of the worst", what does the president of the most powerful nation on earth fear from sending him to trial in this country's legal system? What does the president fear from our son coming before an independent U.S. court of law that is good enough to try murderers, rapists, bank robbers, gangsters, and Oklahoma City bomber Timothy McVeigh?

My great faith in American values and the American judicial system remains. But, five years of disappointment have left me with little faith in the Bush administration's willingness to uphold these American values.

On this fifth anniversary of Guantánamo Bay, I hope and pray that justice will come for the men in Guantánamo before we have the chance to mark the sixth anniversary. I thank Amnesty International and others who are helping me to fight on behalf of the men who cannot fight for themselves. May God continue to bless America, and may the young men imprisoned in Guantánamo be tried or set free.

鑿鏘集被指同性戀

廣管局強烈勸喻 港台稱裁決堪商榷

致立法會資訊科技及廣播事務委員會

A Letter to the Panel on Information Technology and Broadcasting

就影視及娛樂事務管理處處長對有關香港電台電視節目「鑿鏘集」的多宗投訴所作出的裁決提出上訴一事，國際特赦組織對有關節目被裁定為片面和偏狹，因而不適合在國家歡慶時段播放的指控深表關注。

國際特赦組織香港分會注意到該節目是以「僅代表個人觀點」的方式呈現給觀眾，完全符合《電視節目標準一般守則》第九章第九款，即：

為了達到適當的公平公正，這裡所說的“適當的”應該解釋為是對一個事件的特性和節目的形式和節目的段落進行足夠和合適的闡述。適當的公平公正既不意味著對每個觀點都要給予同樣的時間和同等數量的劇本台詞從而達到一種“平衡”，也不是要求業界在每一個具有爭議的議題上保持絕對的中立。

這個裁決的反效果，將使公眾獲得性傾向方面的資訊的主要來源受到嚴重限制。

國際特赦組織香港分會關注以上裁決未來勢必扼殺新聞自由及會造成傳媒在提及同性戀議題時的自我表現審查。這與政府致力於符合聯合國經濟、社會和文化委員會所規定的第二章相違背的。特別是與政府一直強調的通過加強公眾教育及採取行政手段，消除對同性戀者的歧視態度相背離，同時也與政府一直宣導的在社區內促進更加客觀、包容和互相尊重的理念相違背。

國際特赦組織香港分會對於一個客觀評述同性戀者和同性戀行為的節目被裁定為不適合兒童觀看更表示憂慮。因為香港特別行政區政府已經向聯合國兒童權利委員會提交過有關向大眾（包括兒童）推廣性傾向方面及由於性傾向的不同而引致的公平的工作機會等方面展開教育。

這個被質疑的節目並不含有任何被視為不恰當的裸露和暴力的鏡頭，只是在節目中略微提及同性戀的話題，不應被視為“不恰當”。事實上，它反而應該被看做是政府一直表明的向公眾加強教育的“最佳捷徑”。

國際特赦組織香港分會在此呼籲立法會資訊科技及廣播事務委員會重新檢討最近幾個裁決的負面影響，並發佈一個清晰得當的聲明，從而保障傳媒在一些較易引起爭議的題材的自由，因為這些題材對於加強相互容忍和尊重，減少歧視等方面，有著重要的積極作用。

Concerning the judgment of the Broadcasting Authority over an appeal against the decision of the Commissioner for Television and Entertainment Licensing on the complaints regarding the RTHK program "Hong Kong Connection" on the topic of homosexuality, AIHK is concerned that the program was found partial and biased, and was judged to be unsuitable for family viewing.

AIHK found that the program was presented with the "personal views" of the interviewees, and has complied with paragraph 4 of Chapter 9 of the Generic Code of Practice on Television Program Standards:

"In achieving due impartiality, the term "due" is to be interpreted as meaning adequate or appropriate to the nature of the subject and the type of program or program segment. Due impartiality does not mean that "balance" is required in the sense of equal time or an equal number of lines in the script being devoted to each view, nor does it require absolute neutrality on every controversial issue.."

【新聞專訊】香港電台

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本節目涉及同性戀題材 敬請留意

本節目涉及同性戀題材

The effects of such a verdict is limiting the major sources of information on sexual orientation to the general public, which is part of the Hong Kong government response to the UN Committee on Economic, Social and Cultural Rights.

AIHK is concerned that this decision will inhibit and result in self-censorship amongst the media when talking about the homosexual community in the future. This would be in contradiction to the government's objective of fulfilling its obligation to Article 2 of the ICESCR, especially on addressing discriminatory attitudes toward homosexuals by public education and administrative means, with a view to fostering within the community a culture of greater objectivity, tolerance and mutual respect.

AIHK is concerned that a program with subject matter on homosexuals and homosexual relationships would be judged to be unsuitable for the viewing of children when the HKSAR government has presented to the UN Committee on Rights of the Child on educating the public (including children) on the issue on sexual orientation, and to present public education to the public (including children) on issues on equal opportunity on sexual orientation. The program in question contained no nudity or violence that would be considered unsuitable. The mere mention of the subject matter of homosexuality should not be considered unsuitable. In fact, it could be considered as part of public education that the government said is the "best way forward" (Paragraph 90 of the HKSAR report to the UN Committee on the Rights of the Child "On Promotion of equal opportunities in respect of race and sexual orientation", 24 September 2004)

AIHK urges the Panel on Information Technology and Broadcasting to consider the negative impacts of the recent verdicts, and issue a clear statement to safeguard the media's freedom to work on subject matters that may be considered controversial, but have a positive value on society by promoting tolerance and respect, and reducing discrimination.

家庭暴力修例可期

Upcoming: Legal Reform to Combat Domestic Violence

警方於本年一月底公佈了06年首三季的虐待配偶個案數字，錄得37%的增長，達到3400多宗，引起社會廣泛關注。

我們相信，這數字只是冰山一角。可是，政府對抗家庭暴力的動作卻是那麼的小。

在多番爭取及醞釀後，衛生福利及食物局局長周一嶽終於承諾會於本年六月將《家庭暴力條例》修訂草案提交立法會審議。可惜的是，政府目前提出的修訂，仍然遠遠落後於家暴受害人的實際需要，以及國際公約所訂下的標準，特別是：

1. 同性同居者無法獲得法例保障

政府建議現有或曾有婚姻或同居關係的異性才能申請強制令，以禁止另一方繼續施以暴力。這建議明顯將同性同居者摒除於法律保障範圍以外，是歧視的做法。

2. 強制令申請程序依然沒有改進

政府未有提出在危急情況下保障受害人的方法，也未有簡化目前的強制令申請程序。目前多個國家已一早引入了在緊急情況下發出「臨時保護令」及「單方面保護令」(ex parte)的機制，並讓受害人填妥標準表格，即可得到法庭的保護，簡便快捷。

3. 對受害人的補償

政府未有提出受害人得到補償的方法。唯在國際標準中，補救措施往往是家暴受害人能否得到公正對待的關鍵。

國際特赦組織會繼續關注《家暴條例》的修訂進展，並正籌備一系列遊說及公眾活動，停止對婦女的暴力。請立即加入我們的「停止暴力對待婦女」小組吧！（聯絡電話：2300-1250，電郵：svaw@amnesty.org.hk）

如想了解更多有關《家暴條例》，請即登上 <http://www.amnesty.org.hk/svaw>

The recent figure released by the Hong Kong Police on domestic violence cases is staggering. The number of cases in the first 3 quarters of 2006 has gone up by 37%, totaling more than 3,400 cases.

It is believed that the figure is just the tip of an iceberg. The government, however, is doing disappointingly little in addressing the problems.

After longstanding pressure from different civil groups, the Secretary for Health, Welfare and Food, Dr. York Chow, has finally promised to submit the amended Domestic Violence Ordinance (DVO) to the Legco this June. However, the suggested amendments by the government are far from enough, neither to address the needs of the victims nor to meet international standards. In particular:

Homosexual cohabitants are excluded from legal protection. The suggested amendments only cover (ex-)married couples and heterosexual (ex-)cohabitants. It is, in its essence, a discriminatory treatment which excludes homosexual cohabitants from legal protection.

Application process for an injunction order is not enhanced

No proposal has been made to deal with application for injunction order for emergency cases nor to simplify the application process. Many countries had adopted a mechanism of issuing "temporary protection order" and "ex parte protection order" under emergency circumstances. The victim is only required to fill in a standard form in order to be granted a protection order by the court. It creates a much more victim-friendly environment for abused women.

No Reparation measures are introduced. No proposal has been made to ensure victims of domestic violence to get appropriate reparation. Under international standards, reparation is a key for victims' access to justice.

Amnesty International continues to monitor the development of DVO reforms. We're planning a series of lobbying and public activities. Please join our Stop Violence Against Women (SVAW) group to help us protect the rights of women! (Tel: 2300-1250, email: svaw@amnesty.org.hk)

For more information on DVO, please visit: <http://www.amnesty.org.hk/svaw>



《實踐權利——性別意識工作坊》一書已經出版。定價為港幣96元/120元（會員價/非會員價）。詳情請電2300 1250查詢。

The simplified Chinese version of "Make Rights a Reality - Gender Awareness Workshop" is now available on sale. Price: HK\$96 / HK\$120 (Member/Non-member) For details please contact us on 2300 1250.

伊拉克：國際特赦組 Amnesty International

國際特赦組織對於伊拉克上訴法院於2006年12月26日確認並處決薩達姆侯賽因，並於今天執行表示遺憾。

國際特赦組織一直反對死刑，並關注伊拉克上訴法院沒有處理好在伊拉克終極刑事法院提出的一些疑點，對受審判的人不公平。

國際特赦組織中東及北非項目主管Malcolm Smart表示，『我們反對在任何情況下執行死刑，因為此舉違反對生命的權利，而且是非常殘酷、不人道和可恥的刑罰，尤其是經過不公平的審訊而作出的極端刑罰是非常厭惡的。更令人憂慮的是這個案件的結果明顯是早已預定。當宣佈判決時，上訴法院所執行的程序只不過是粉飾那個充滿錯誤過程的合法性。』

國際特赦組織認為把薩達姆侯賽因在其統治下所犯的罪行繩之於法表示歡迎，但必須通過一個公平的程序。Malcolm Smart說，『他的審訊本應可以為他任內大量的人權侵犯事件，作為樹立公義及保障真理和問責性的模範，但是他的審訊卻充滿錯誤。很多人只會視之為「勝者為王」，無助制止政治暗殺的浪潮。』

薩達姆侯賽因在2006年11月5日被判死刑，罪名是1982年他險遭暗殺後，涉及在杜賈爾村落殺害148人。

在伊拉克終極刑事法院的審訊不符合國際公平審訊的標準。政治干預破壞了法院的獨立和無私，導致第一位主持法官請辭，亦妨礙了其他人的委任，而法院也沒有採取足夠措施保護證人和辯方律師，其中三位更在審訊期間遇害。薩達姆侯賽因在被逮捕的頭一年也沒有得到法律諮詢，而他的律師對審訊過程的投訴也沒有得到法院的處理。而上訴過程明顯是匆匆進行，也沒有糾正第一審的錯誤。

Malcolm Smart說，『所有被告都有權得到公平審訊，無論罪名有多大。在薩達姆侯賽因的統治下這個原則固然常被忽視。推翻他的政權本是大大機會恢

印尼家傭遭受虐待剝削 Domestic workers exploited and abused in Indonesia

Ratna十三歲開始已當上家傭。她說：「我打掃房子，煮飯，抹地板，也帶孩子。每天從清晨五時起，一直工作至夜深。」沒有休息時間，而每週只能外出一次——就是到屋外晾曬洗好的衣物。像許多女傭一樣，Ratna 沒有自己的房間：「我睡在廚房地，沒有床墊。我覺得很冷又很怕。僱主每晚都鎖我在廚房裡，他說是為了保護我，但我整夜都上不了廁所。」

許多在印尼工作的女傭，都曾在工作上被踐踏人權。許多女性十二歲被迫開始工作，薪金被剝削，工作環境惡劣，更受到性別歧視。一些女傭被虐待、遭受心理創傷和性侵犯，有人甚至被殺害。

國際特赦組織要求印尼政府立法保障家傭的權益。例如2003年通過的勞動法(Manpower Act)，便保證家傭以外的其他人能享有最低工資、每週工作不超過40小時，以及擁有固定和法定假期。

強姦對家傭來說，則是另一種高風險。一名22歲的女傭在

2004年6月至10月期間，被僱主強迫與他的弟弟性交。當她懷孕時，她獲得40,000盾(約34港元)的車資，然後便遭趕離開這個家。

許許多多這樣的案件，都沒有上報警局。家傭的境況孤立，工作環境不受監管，而他們都害怕警察，擔心報警後會掉丟飯碗。

與國際特赦組織一起，為印尼傭工出口氣。請簽署附上的明信片，然後郵寄給印尼總統。如想參與行動或知道更多，請登上 www.amnesty.org.hk 東南亞組，電郵至 se_asia@amnesty.org.hk，或致電23001250給國際特赦組織香港分會辦公室。

Ratna started her life as a domestic worker when she was 13 years old. "I cleaned the house, cooked, swept the floor, and took care of the children," she says, "every day from five in the morning until midnight." No breaks were allowed. She could only go outside once a week – to hang the washing out.

Like many women domestic workers, Ratna did not have her own room. "[I slept] in the kitchen with no mattress, just on the floor. I felt cold... scared," she says. "My employer locked me in the room [every evening],

織對薩達姆侯賽因被處決表示遺憾 deplores execution of Saddam Hussein

復這種基本權利，而同時確保他所犯的罪行獲得問責。可是這個機會都錯過了。執行死刑已把事情弄巧成拙。」

在行刑期間，薩達姆侯賽因也連同其他六人，在伊拉克終極刑事法院接受另一個關於1988年伊拉克庫爾德人被屠殺、酷刑和其他虐待的審訊。原本預料對其他人審訊還會持續。對薩達姆侯賽因行刑反而使真相不能大白，也糟蹋了讓伊拉克檢視這些過去罪行的機會。

Amnesty International deplored the execution of Saddam Hussein following the confirmation of his sentence by the Iraqi Appeals Court on 26 December 2006.

The organization, which totally opposes the use of the death penalty, said it was concerned that the Iraqi Appeals Court had failed to address the major flaws during the former dictator's trial before the Supreme Iraqi Criminal Tribunal (SICT) which had rendered it unfair.

"We oppose the death penalty in all cases as a violation of the right to life and the ultimate cruel, inhuman and degrading punishment, but it is especially abhorrent when this most extreme penalty is imposed after an unfair trial," said Malcolm Smart, Director of Amnesty International's Middle East and North Africa Programme. "It is even more worrying that in this case, the execution appeared a foregone conclusion, once the original verdict was pronounced, with the Appeals Court providing little more than a veneer of legitimacy for what was,

saying it was for my protection. I couldn't go to the bathroom during the night."

Many women domestic workers in Indonesia face human rights abuses at work. Often forced to work from as young as 12, they suffer economic exploitation and poor working conditions as well as gender-based discrimination. Many are subjected to physical, psychological and sexual violence. Some are even killed.

AI is calling for domestic workers to be protected by legislation safeguarding workers' rights in Indonesia, such as the 2003 Manpower Act which guarantees other workers a minimum wage, a 40-hour working week, and standards providing for regular breaks and holidays.

Domestic workers also face an acute risk of sexual abuse, including rape. A 22-year-old domestic worker was forced by her employer in Jakarta to have sex with his younger brother between June and October 2004. When she became pregnant, she was expelled from the household. She was paid her outstanding wages and given Rp 40,000 [HK\$ 34] to cover transport costs.

Such cases of abuse and exploitation go under-reported to the police. Domestic workers are isolated, their work is unregulated, and they often fear the police. They risk losing their jobs if they speak out.

in fact, a fundamentally flawed process."

Amnesty International said it had greatly welcomed the decision to hold Saddam Hussein to account for the crimes committed under his rule but this should have been done through a fair process. "His trial should have been a major contribution towards establishing justice and ensuring truth and accountability for the massive human rights violations perpetrated when he was in power, but his trial was a deeply flawed affair," said Malcolm Smart. "It will be seen by many as nothing more than 'victor's justice' and, sadly, will do nothing to stem the unrelenting tide of political killings."

Saddam Hussein was sentenced to death on 5 November 2006 after being convicted in connection with the killing of 148 people from al-Dujail village after an attempt to assassinate him there in 1982.

The trial before the SICT failed to satisfy international fair trial standards. Political interference undermined the independence and impartiality of the court, causing the first presiding judge to resign and blocking the appointment of another, and the court failed to take adequate measures to ensure the protection of witnesses and defence lawyers, three of whom were assassinated during the course of the trial. Saddam Hussain was also denied access to legal counsel for the first year after his arrest, and complaints by his lawyers throughout the trial relating to the proceedings do not appear to have been adequately answered by the tribunal. The appeal process was obviously conducted in haste and failed to rectify any of the flaws of the first trial.

To get involved with Amnesty International Hong Kong's campaign on behalf of Indonesian domestic workers, please sign the enclosed postcard and mail it to the Indonesian President. To get more involved with the campaign, go to the South-East Asia group's page on www.amnesty.org.hk

for information about our activities. Alternatively, email se_asia@amnesty.org.hk or call the AIHK office on 2300 1250.



I am not a slave
Aku bukan budak
我不是奴隸

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