

HR

# 人權



國際特赦組織  
**AMNESTY**  
INTERNATIONAL  
香港 HONG KONG



## 奧運傳承 Olympic Legacy

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2008年4月3日,中國著名愛滋病維權人士胡佳先生被以“煽動顛覆國家政權罪”判處有期徒刑三年六個月,剝奪政治權利一年。另一位土地維權人士楊春林,亦於2008年3月25日,以同樣罪名被判處有期徒刑五年。另一位房產維權人士葉國柱(反對北京市強行遷拆)亦於2004年被判處有期徒刑五年。2007年9月29日,葉國柱的兒子及兄弟,葉明君和葉國強亦曾被懷疑“煽動顛覆國家政權罪”受拘留。雖然他們兩人最後獲釋,但他們亦被警告不可向傳媒透露事件,並要停止請願行動<sup>1</sup>。

中國申辦奧運時曾經承諾,會透過舉辦奧運去改善中國人權狀況,但這些維權人士的事件反映出中國政府未有實踐該承諾。而事實上中國政府為了在奧運會前「清洗太平地」而令一些以和平手法表達人權訴求的維權人士陷入險境。隨著奧運倒數,國際特赦組織希望大家可以更關注中國人權,並用行動去推動中國政府實踐早前的承諾。

世界各地有很多良心犯,他們不惜犧牲自己的自由甚至性命,去維護自己甚至別人的權利。單單在緬甸,已經有多達1500名良心犯,昂山素姬(其中一名緬甸良心犯),自1989年起已經被軟禁。國際特赦組織呼籲立刻無條件釋放昂山素姬。

對於眾多踐踏人權的事件,我們實在不能坐視不理。請加入我們成為「緊急行動」網絡成員去維護維權人士的權利。

陳江秀

國際特赦組織香港分會主席



On 3 April 2008, prominent Chinese HIV/AIDS activist Hu Jia was convicted of “inciting subversion of state” and sentenced to three and a half years in prison as well as one year of political rights deprivation. Another activist, Yang Chunlin, who is a land rights activist, was also convicted of a similar offence on 25 March 2008 and sentenced to five years in prison. Ye Guozhu, a housing rights activist who protested against forced eviction in Beijing, has been serving a four-year sentence since 2004. Ye’s son and brother, Ye Mingjun and Ye Guoqiang were detained on suspicion of inciting subversion of the state on 29 September 2007. Although both were released, they were warned not to speak to the media, nor to continue petitioning<sup>1</sup>.

These individual cases of human rights defenders show that the Chinese government’s pledge to make progress on the human rights situation through hosting the Olympics remains unfulfilled. In fact, activists who peacefully speak out for human rights causes are at risk due to the “clean-up” by the Chinese authorities before the Games. While the countdown for the game continues, Amnesty is also counting on your urgent attention and action to urge the Chinese government to realize the pledge.

Many prisoners of conscience worldwide risk their freedom and even life to speak for their rights and also defend the rights of others. In Myanmar alone, there are more than 1,500 prisoners of conscience. Aung San Suu Kyi, one of a large number of prisoners of conscience in Myanmar, has been under strict and prolonged house arrest since 1989. Amnesty International is calling for the immediate and unconditional release of Aung San Suu Kyi.

We cannot turn a blind eye to the numerous violations of human rights. Please join us in the action and become an urgent-action letter writer to help defend the rights of human rights defenders.

Kong-sau Tan

Chair, Amnesty International Hong Kong

<sup>1</sup> 參考/See “Amnesty International, People’s Republic of China: The Olympics Countdown – crackdown on activists threatens to Olympics legacy, 31 March 2008, AI Index: ASA 17/050/2008.”

澳洲總理陸文文2月13日在國會上向屬於「被竊的一代」的原住民及其親屬正式道歉。其演說更被喻為是澳洲歷史大事，全國均有現場直播。

自1910至1970年代，澳洲政府實施種族歧視政策（又稱白澳政策），貶低當地原住民，並強行把他們的孩子帶走，轉交白人撫養或送到白人學校寄宿，意欲「同化」原住民。

11年前，澳洲的人權與平等機會委員會（HREOC）為原住民兒童被強行帶離家進行調查，並發表了「帶他們回家1997」報告。報告指自白澳政策實施以來，有一至三成的土著和托雷斯海峽島的孩童被強行帶走。當中不少受到性虐待、身體及精神傷害。報告並要求政府向他們道歉，卻遭當時霍華德政府拒絕。

國際特赦組織對今次澳洲政府決定把正式道歉視為其中一個首要任務，感到鼓舞，並呼籲澳洲政府履行「帶他們回家」報告中的建議：重新安置受影響的家庭；為他們提供康復服務；保證不再帶走原住民孩童，並訂下賠償機制。

Australia's Prime Minister Kevin Rudd formally apologized to the Indigenous people who were members of the Stolen Generation and their families on 13 February in Parliament. The speech, which has been described as a significant event in Australia's history, was televised live to cities all over Australia.

From 1910 to the 1970s, the Australian government implemented a racial discrimination policy (also called White Australia Policy). Belittling the Indigenous people, the government had forcibly taken children away from their families and given them to white people and educated them in white schools with the intention of assimilating them.

Eleven years ago, the Human Rights and Equal Opportunity Commission's (HREOC) published the "Bringing Them Home" report, following its enquiry into the removal of Indigenous children from their families. It was found that between 10 and 30 percent of Aboriginal and Torres Strait Islander children were forcibly removed from their families since the initiation of White Australia Policy. Many were sexually, physically and mentally abused. The report also called for an apology from the government but this was rejected by John Howard's Administration at that time.

Amnesty International is greatly encouraged by the Australian Government's decision to make a formal apology one of its first priorities and calls on the Government to now implement the recommendations in the Bringing Them Home report. Restitution, rehabilitation, guarantees against repetition and compensation are critical next steps.

## Australia apologises for abuses of indigenous 誠意道歉換來相互尊重 澳政府彌補過去種族歧視

### Facebook摩洛哥用戶獲釋

一名摩洛哥男子因在社交網站Facebook上冒充該國親王被裁定入獄，最終獲釋。弗阿德·莫塔達(Fouad Mourtada)，現年26歲，網絡工程師，於2008年3月18日在國王特赦後重獲自由。

弗阿德·莫塔達於二月時在卡薩布蘭卡受審後被裁定入獄三年及罰款一萬摩洛哥幣（約美金1320元）。罪名是在Facebook上偽造摩洛哥穆萊王子（Prince Moulay Rachid）的資料。

兩名國際特赦組織特派員曾在場旁聽，並認為當時的審訊並未達到國際公平審訊標準。



### Freedom for Moroccan jailed over Facebook profile

A Moroccan who was jailed for creating a Facebook profile of a prince has been released from prison. Fouad Mourtada, a 26-year-old IT engineer, was freed on 18 March, 2008 after being pardoned by the king.

Fouad Mourtada had been given a three-year prison term and fined 10,000 dirhams (US\$1,320) in February for creating a profile of Morocco's Prince Moulay Rachid on Facebook. He was convicted after a trial in Casablanca.

Two Amnesty International delegates observed the trial. They said they were concerned that the trial failed to satisfy international fair trial standards.

As early as in 2001 during the bidding process of the Games of 2008, the Chinese authorities had indicated to the International Olympic Committee that hosting the Games would "help promote all economic and social projects and will also benefit the further development of our human rights cause" in China. Human rights organizations all over the world have been lobbying for the Chinese authorities to honour its promises. During the National People's Congress Standing Committee session in October 2007, the Beijing Olympics Committee renewed its pledge, saying, "the Olympic preparations have promoted and will continue to promote human rights causes in China".

Yet, in the last seven years the human rights record in China has clearly worsened. Amnesty International has found that many human rights defenders are imprisoned as the government is "cleaning up" the city's image with the approach of the Olympics. The situation has deteriorated since August 2007 as crackdowns have been staged to prevent any activities to be held in October 2007 at a time of the Communist Party's five-yearly congress. Freedom of expression and space to exchange information freely on the internet are being threatened. Here are two examples:

Yang Chinlin was arrested in June 2007 on charges of "inciting subversion of state power". His offence: exposing the illegal occupation of farmlands by the government in the city of Jiamusi, Heilongjiang province, drawing tens of thousands of farmers and unemployed people in a petition campaign. He subsequently initiated the

We Want Human Rights, Not Olympics [sic] movement. The trial began in February. Yang was sentenced to five years in jail. His family has said he had been subjected to repeated torture and assaults in prison.

During 2006-07, Hu Jia published political articles on the internet and was interviewed by overseas media on the subjects of human rights, freedom of religion and the conditions of those who are violated and/or discriminated against. He has been calling attention to the human rights situation in China. He was arrested in December 2007 on the charges of "inciting subversion of state power" and was given a jail term of three and a half years on April 3, 2008.

According to the International Covenant on Civil and Political Rights, everyone has the right to hold opinions without interference. In order to prevent governments from justifying unreasonable limitations on freedom of expression and freedom of information in the name of national security, the Johannesburg Principles provide that only when the expression is intended to incite imminent violence may such expression be subject to restriction. As such, neither Yang nor Hu should have been subjected to any punishment for their acts. The Constitution of China also states that its citizens have the right of access to news and information as well as the right to publish.

Neither Yang nor Hu violated any Chinese law or international conventions; what put the two in prison was political motive.

Amnesty International has been archiving and exposing news of prisoners of conscience, lobbying governments and international organizations (such as the International Olympic Committee) to use their influence to persuade the Chinese authorities to honour its promises made on improving the human rights conditions in China.

If you are interested in more stories on the Olympics and human rights, please visit: <http://www.amnesty.org/en/news-and-updates/report/what-human-rights-legacy-beijing-olympics-20080401>

Please email the HK office at [admin-hk@amnesty.org.hk](mailto:admin-hk@amnesty.org.hk) if you would like to receive information on upcoming activities and news from us.

## Human rights conditions under the Olympics haze 奧運陰霾下的人權狀況

早在2001年申辦奧運期間，中國奧申委向國際奧委會作陳述時，曾經講過，北京舉辦奧運會將極大地促進中國的經濟、社會和文化的發展，同時也包括中國人權事業的發展。這正是為何世界各地的人權組織不遺餘力地遊說中國必須兌現承諾。在2007年10月的全國人民代表大會上，奧組委又再一次宣稱：「奧運會籌備工作已經，並且會繼續促進人權事業的發展。」

然而，在過去的七年，中國的人權記錄卻明顯地倒退。國際特赦組織發現在奧運會臨近期間，當局為「清洗太平地」拘捕關押了很多維權人士。這情況自2007年8月底起尤甚，目的在於防範維權人士在同年10月全國人民代表大會期間有任何行動；言論自由、互聯網的交流空間，亦越來越受到威脅。在此，舉出兩個例子：

楊春林：因披露黑龍江省佳木斯市上萬計農民土地被政府非法侵占，並發起「不要奧運要人權」的運動，吸引了過萬名失地農民和下崗工人簽名支持。於2007年6月被捕，控以「煽動顛覆國家政權罪」。案件於2月開審，及後楊被判入獄5年。期間，他的家人表示他在獄中曾多次受到酷刑對待和拷打。

胡佳：2006-07年間，在互聯網上發表政論文章和接受海外媒體訪問，包括公佈人權、宗教自由被侵害和受歧視的人的情況，以喚起公眾對國內人權情況的關注。他於2007年12月被捕，控以「煽動顛覆國家政權罪」，於2008年4月3日被判入獄3年半。

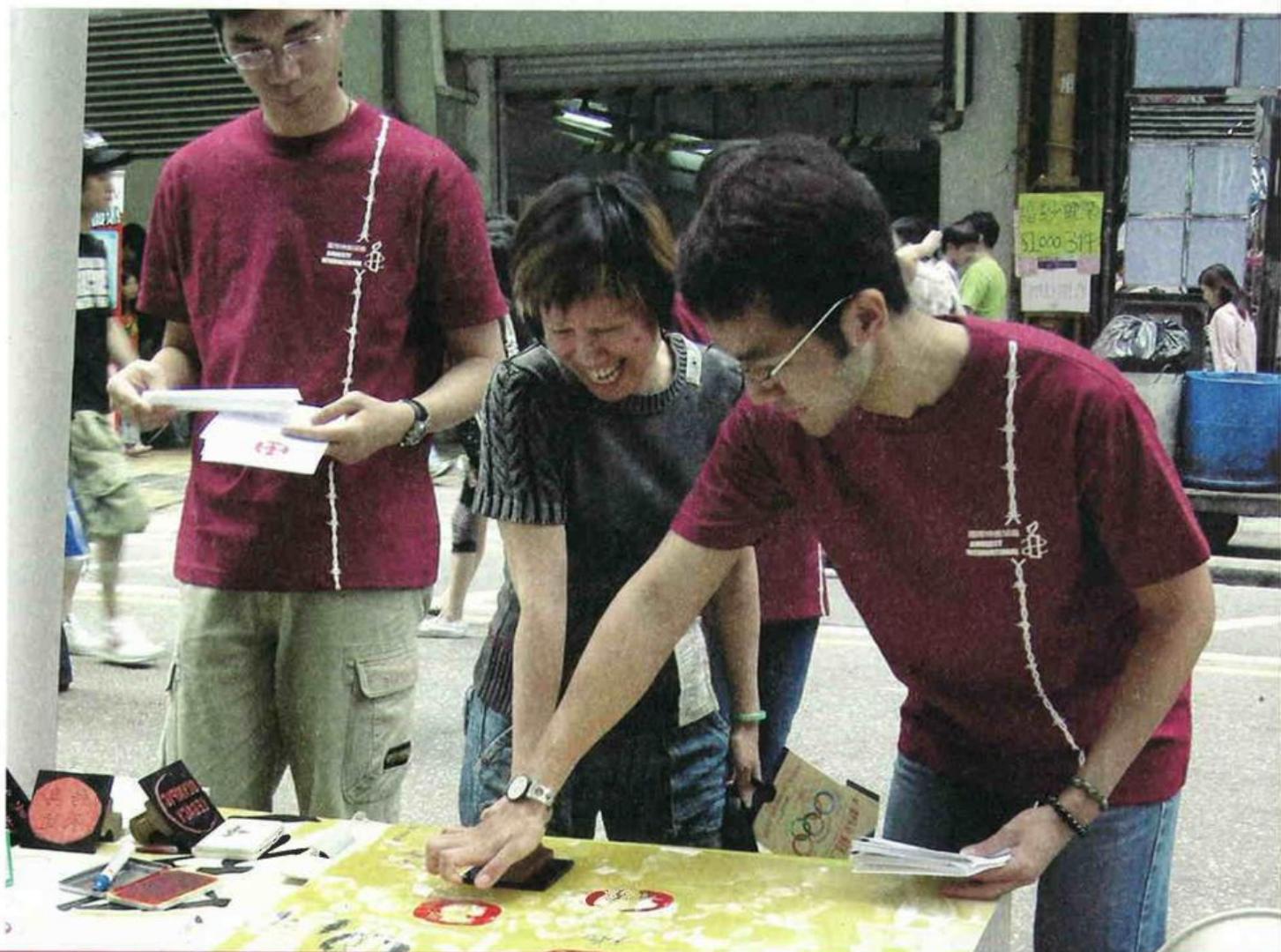
根據《公民權利和政治權利國際公約》，任何人均享有言論自由。為免各地政權以國家安全為藉口而對言論自由加以不合理的限制，專家為此訂定的《約翰內斯堡原則》表明，只有在相關言論會直接引起即時暴力時，才可以法律禁止。就其而論，楊、胡的言論均不應受禁制。而中國的《憲法》亦列明公民享有新聞和出版自由。

楊、胡二人均沒有違反任何中國法律及國際公約，真正使他們被捕入獄的，是背後的政治動機。

國際特赦組織一直記錄及發表這些良心犯的消息，並極力遊說政府、國際組織(如國際奧委會)等，發揮各自的影響力，以令中國政府落實改善人權的承諾。

若您有興趣知道更多有關奧運和人權的消息，歡迎瀏覽：  
<http://www.amnesty.org/en/news-and-updates/report/what-human-rights-legacy-beijing-olympics-20080401>

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# 會員諮詢會： 奧運與人權

四月二十三日星期三，來自世界各地不同背景的熱心會員齊集，一起討論人權和與2008年中國奧運的關係。會後建議採取積極態度，為中國人權帶來長遠正面的發展。藉著在更多學校及社區的參與，我們希望更多市民可以一同向中國政府施壓，要求中國政府實踐早前的承諾（2001年中國申辦奧運會時曾承諾會藉舉辦奧運會改善人權狀況）。會議參加者透過在橫額上蓋上「奧運傳承」的印章來表達他們對議題的支持。

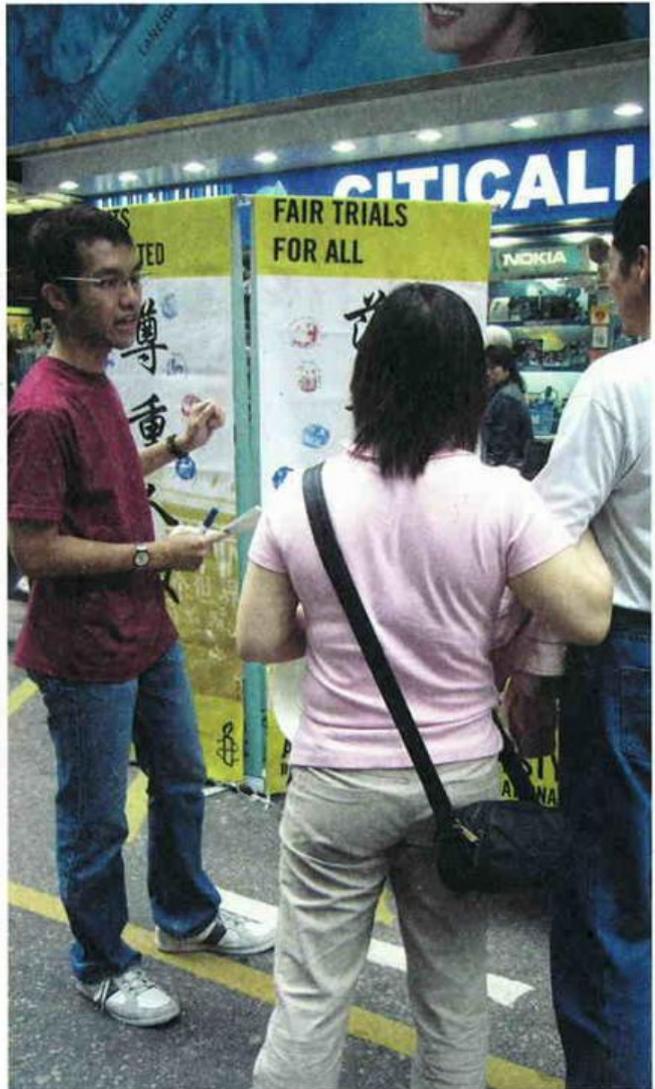
## Meeting on Olympic Legacy

On Wednesday, April 23rd, a diverse mix of professionals and students met to discuss human rights and their relation to the 2008 Beijing Olympics. The group, composed of citizens from around the world, adopted an optimistic approach by focusing on creating a positive human rights legacy for China. Through an enhanced presence in school systems and within the community, we hope that a more informed public will further pressure the Chinese government to keep the promises it made in during the Olympic bidding process in 2001, in regards to human rights. The meeting concluded with those in attendance stamping an "Olympic Legacy" stamp onto banners, to demonstrate their support of the cause.



### 「奧運傳承：中國的選擇」街頭活動

在銅鑼灣和旺角熙來攘往的街道上，國際特赦組織(香港)抓緊機會跟市民對話，令公眾更注意奧運和人權兩者間的關係。組織透過派發單張，並鼓勵支持者在橫額上蓋印、寫上對中國人權發展的希望，來表達對中國人權發展的關注。雖然有部份途人批評這次行動，認為行動將奧運政治化，但大部份人對國際特赦組織(香港)的努力表示讚許。這次街頭行動主要探討四個範疇：尊重表達自由，落實公平審訊，停止執行死刑和保障維權人士權利。這次活動吸引到不同背景的男女老少，他們都願意站出來表達自己的想法，並在橫額上蓋上「奧運傳承」的印章或在橫額前拍照，來表達他們對議題的支持。國際特赦組織(香港)希望透過對議題的討論，讓公眾知道更多中國和香港的人權狀況，以助推動區內人權發展。



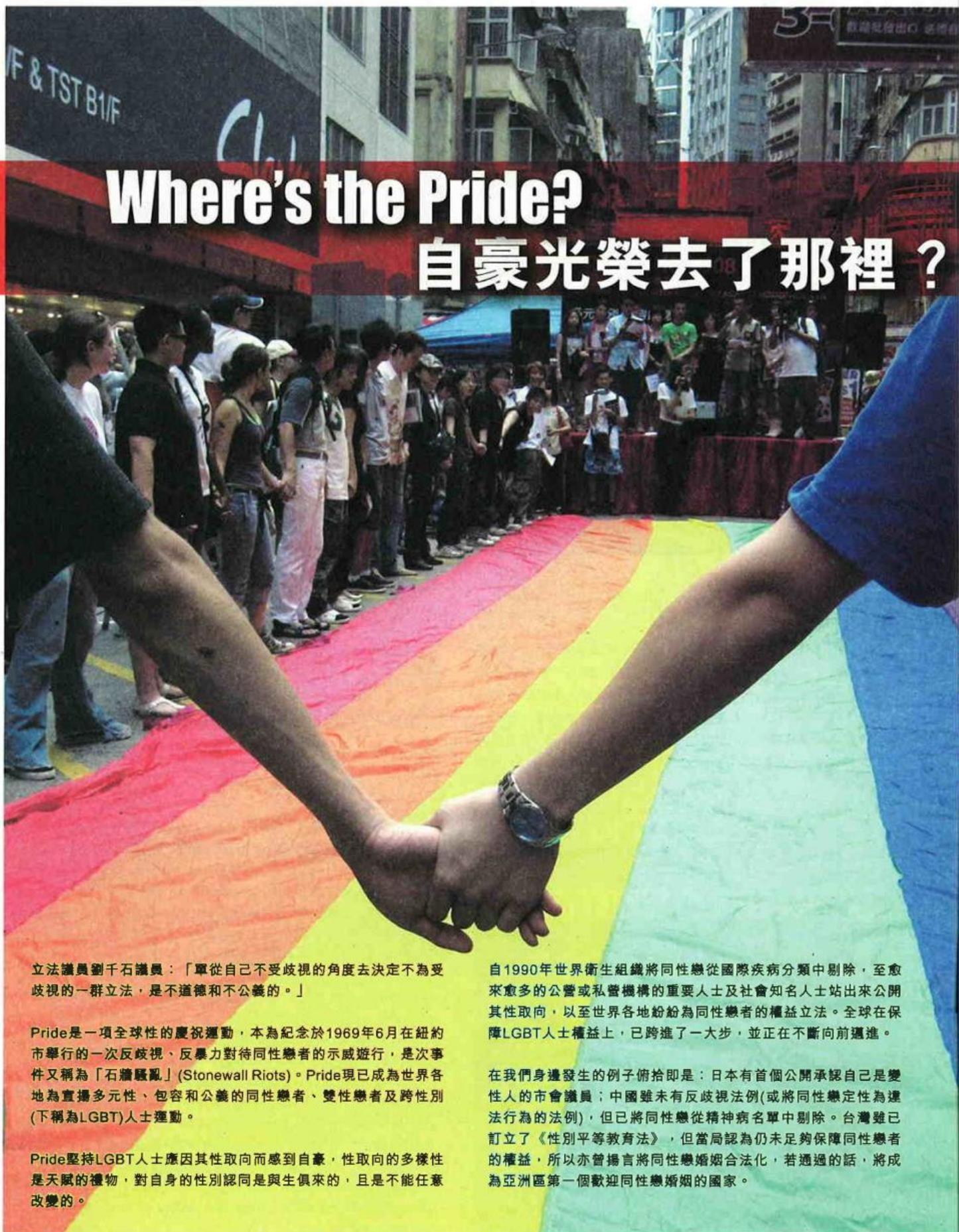
### Street Demonstrations: Olympic Legacy-China's Choice

As throngs of people made their way through the busy streets of Causeway Bay and Mongkok some weeks ago, Amnesty International Hong Kong sought to raise awareness of the relationship between the upcoming Beijing Olympics and human rights. The organization passed out pamphlets to pedestrians and encouraged supporters to stamp large banners promoting progress in the field of human rights. While some passers-by criticized the demonstration, saying it amounted to "over-politicizing" the Olympic Games, many people praised the efforts of AIHK. Knowledge of ongoing violations – specifically within the realm of freedom of expression, fair trial for detainees, capital punishment and treatment of human rights defenders -- was enhanced by the participation in the street action campaign. Men, women and children from different backgrounds came out and took photographs in front of the banners, and "chopped" the seal reading "Olympic Legacy" in either English or Chinese. Amnesty International hopes that by discussing the issues and informing the public of recent human rights violations in both China and Hong Kong, they can make a stronger push for change in the region.



# Where's the Pride?

# 自豪光榮去了那裡？



立法議員劉千石議員：「單從自己不受歧視的角度去決定不為受歧視的一群立法，是不道德和不公義的。」

Pride是一項全球性的慶祝運動，本為紀念於1969年6月在紐約市舉行的一次反歧視、反暴力對待同性戀者的示威遊行，是次事件又稱為「石牆騷亂」(Stonewall Riots)。Pride現已成為世界各地為宣揚多元性、包容和公義的同性戀者、雙性戀者及跨性別(下稱為LGBT)人士運動。

Pride堅持LGBT人士應因其性取向而感到自豪，性取向的多樣性是天賦的禮物，對自身的性別認同是與生俱來的，且是不能任意改變的。

自1990年世界衛生組織將同性戀從國際疾病分類中剔除，至愈來愈多的公營或私營機構的重要人士及社會知名人士站出來公開其性取向，以至世界各地紛紛為同性戀者的權益立法。全球在保障LGBT人士權益上，已跨進了一大步，並正在不斷向前邁進。

在我們身邊發生的例子俯拾即是：日本有首個公開承認自己是變性人的市會議員；中國雖未有反歧視法例(或將同性戀定性為違法行為的法例)，但已將同性戀從精神病名單中剔除。台灣雖已訂立了《性別平等教育法》，但當局認為仍未夠保障同性戀者的權益，所以亦曾揚言將同性戀婚姻合法化，若通過的話，將成為亞洲區第一個歡迎同性戀婚姻的國家。

觀乎亞洲以至世界各國在保障同性戀者權益上的進程，自詡為「亞洲國際都會」的香港，究竟作了甚麼呢？

香港政府在保障LGBT人士權益上一直諸多推搪，在1995年和2005年間曾進行了兩次調查，指出香港人普遍不支持採取立法的措施以保障LGBT人士權益。

儘管曾蔭權政府仍堅持其固有立場，「即不承認…任何同性關係」，在刊印前，政府回心轉意，提議在下一個立法年度時把同性同居伴侶納入《家庭暴力(修訂)條例》內。姑勿論是次舉動是否旨在避免違憲及可能引發的高昂法律訴訟，這仍算得上是朝著正確方向邁出一小步。

港府從來沒有表現出任何保障LGBT人士權益的決心，亦一直遺忘了一個事實——這一班誠如調查所指不獲大眾支持的少數，正正是最需要受免於歧視立法所保障的人。如要達至真正的「強政勵治」，作為一個負責任和關心人民的政府，就應當進行更深入的訪問和調查，以確切找出問題所在，了解遭受歧視者所面對的處境，確保人權不只是保障大多數人，而是保障所有人。

\* Pride一般解為「自豪」；LGBT運動就取其字的意思希望運動如上述所提，為每個LGBT人士都可以以自己的性取向引以自豪。

國際特赦組織再次呼籲香港政府有責任按照本港和國際的法律來保障LGBT人士。

"It was immoral and unjust for those who were not victims of discrimination to decide not to pass legislation to protect the aggrieved persons."

Legislative Councilor Lau Chin-shek

Around the world, Gay Pride will be celebrated with festivities and community events. Held in commemoration of the Stonewall Riots, which themselves started as a protest against discrimination and violence against gays in New York City, Gay Pride has become a catalyst for the modern gay movements worldwide which celebrate diversity, tolerance and justice.

The movement asserts that LGBT persons should be proud of their sexual orientation and gender identity; that sexual diversity is a gift; and that gender identity is inherent and cannot be intentionally altered.

The world has progressed a long way: from having homosexuality removed from the International Classification of Diseases of the World Health Organization in 1990, to the increased number of those holding high ranking posts in the private sector, public office, or the entertainment industry coming out and being open about their sexual orientations, to various legislations safeguarding the rights of LGBT people.

All of this is happening at our doorstep: Japan elected its first openly transgender politician to serve in Tokyo's municipal assembly. Even China, which currently has no anti-discrimination legislation (or law criminalizing homosexual activities), has declassified homosexuality from its list of mental disorders. Although the Gender Equity Education Act is not progressive enough for some, Taiwan has been even considering the presentation the presentation of a same-sex marriage

bill that, if passed, would make it the first Asian nation to embrace marriages between people of the same sex.

What does Hong Kong lack to fulfill its self-proclaimed role as the "Asia's World City" when it comes to protecting the rights of its LGBT residents?

The Government of Hong Kong has shirked its obligation for protecting the rights of its LGBT citizens, saying that surveys it conducted in 1995 and 2005 show a lack of support in the community at large towards enacting legislation for LGBT rights.

Despite maintaining its long held position which does "not recognize... any same-sex relationship", the Tsang's administration has, at press time, a change of heart suggesting the inclusion of same-sex cohabitation couples in to Domestic Violence Ordinance Amendment in the next legislative year. Whether or not such is a move in order to avoid any breach of constitution and possible and costly lawsuits is debatable, it is nonetheless a small step towards to right direction.

Merely scratching the surface on such matters, the Government has demonstrated a weak political will to make progress in the LGBT arena, while consistently forgetting that it is this very group of people who—lacking the support from the majority, as suggested by the surveys it had commissioned—deserves legal protection from any kind of discrimination. In order to become a responsible and caring government under its goal of "strong governance", The Government of Hong Kong ought to carry out more deliberated interviews and research to pinpoint where the problems lie, to highlight the discrimination and prejudice faced by many day after day, and to ensure that human rights are enjoyed by all, not just by the majority.

#### 《基本法》第二十五條

「香港居民在法律面前一律平等。」

#### 《香港人權法案條例》第一條

「人人得享受人權法案所確認之權利，無分種族、膚色、性別…」

「入權法案所載一切公民及政治權利之享受，男女權利，一律平等。」

#### 《公民權利和政治權利國際公約》第二十六條

「…禁止任何歧視並保證所有的人得到平等的和有效的保護…」

#### Article 25, Basic Law

"All Hong Kong residents shall be equal before the law"

#### Article 1, Hong Kong Bill of Rights Ordinance

"...Bill of Rights shall be enjoyed without distinction of any kind, such as race, color, sex..."

"Men and women shall have an equal right to the enjoyment of all civil and political rights..."

#### Article 26, International Covenant on Civil and Political Rights

"...prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground..."

# 打著宗教旗號的暴力

## Violence in the name of Religion

### 伊拉克的校園 Schools in Basra, Iraq

當香港正籌備把免費教育由九年擴展至十二年之際，在地球的不遠處，卻有不少女孩因為種種人為因素而不能獲得應有的教育權利。

聯合國在1993年的「消除對婦女暴力宣言」把性別暴力定義為針對個人的女性身份而使用的暴力。因此，對女性的暴力不單反映在身體傷害或精神/心理虐待——否定女性享有平等的教育機會，限制她們的公共活動空間、因應性別而施以不同待遇的歧視等都被視為是性別暴力。因為這些思想與行為強化了女性「傳統」的從屬地位，限制了她們獲取知識、技能的機會，剝奪了她們在社會、經濟及政治範疇上的參與。它反映了一個社會的不平等與歧視，助長了男尊女卑的傳統習俗與觀念。也許你會問：活在廿一世紀的今天，我們的社會還有那麼粗暴的歧視嗎？請先看看伊拉克校園的故事：

在大學門前，基督徒女學生慧正等待父親接她：「我沒有選擇，只好戴上面紗；恐怖分子會監視並以那些沒有戴面紗的女學生為目標。」

在校園發現有這樣的單張內容：「男生要跟女生分開，否則學校會被炸毀。我們會用化學劑燒毀沒有戴面紗的女生的臉。」

在Al-Zayoona鄰近的一所女子高中部份中六女生說：「我們要安全與和平的環境，好讓我們能安心追求理想。」

2004年10月，高等教育及科學研究部就收到報告，指巴格達有3,000名女學生基於安全理由而申請暫時停學。

薩達姆政府倒台後，要求女生上學時要戴上頭巾或面紗的壓力愈來愈大。在大學及其他校園裡，未有戴上頭巾或面紗的女生都曾受到滋擾或恐嚇。在巴斯拉大學不少女生因為未有戴上頭巾或面紗而受到伊斯蘭組織成員的威嚇。在巴斯拉省，不少女性老師及女生在校園內亦因同樣原因受到滋擾。國內其他校園亦有出現相同威脅。2004年就有宣傳單張在摩蘇爾大學流傳，警告女生若不戴頭巾或面紗上學將遭到「可怖命運」。

服飾選擇是自我表達的重要元素，強迫婦女依循單一服式是規限了自由表達的權利，這些社會控制壓根兒就是傳達一個訊息：不依規矩自由活動是罪，一定會受到懲罰！這不單限制了婦女獲得教育及工作的權利，更阻礙了她們的宗教自由。

無法度、殺戮不斷、綁架及強姦等行為已令許多婦女失去活動自由，包括上學及工作的可能；缺乏安全保障迫使婦女離開公共空間，因而剝奪了婦女的基本權利。

要消除暴力對待婦女，避免因為性別定型、權力不均而帶來對婦女的歧視，國家政府須確保那些因襲傳統、歷史、宗教及文化思想的社會規範和信念不會被利用作壓抑婦女獲取平等機會的借口。

While Hong Kong is undergoing an extension of free education from 9 years to 12, spare a thought for the numerous girls who are deprived of the basic right to education in a country that is constantly in the news.

The 1993 UN Declaration on the Elimination of Violence against Women defines gender violence as any act of violence that takes place solely because of one's female identity. Thus, violence against women not only includes physical and mental harm or psychological torture: denying women equal opportunity in education, restricting their liberty, meting out discriminatory treatment purely on the basis of gender are all considered kinds of violence. Such violence reinforces women's "traditional" subservient role in societies and limits their chances of acquiring knowledge and skills. This in turn limits their participation in society, in the economy and in politics. Such an environment perpetuates inequality and discrimination; it encourages a "male dominant tradition", with females being treated as inferior. One place where all of this is being illustrated in a deeply saddening manner is Iraq:

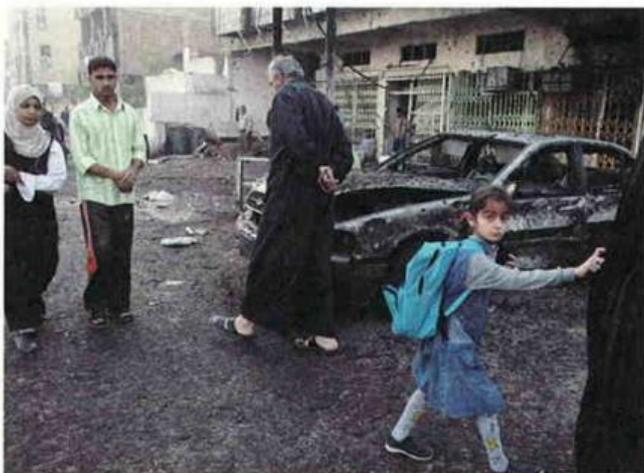
Vian Kiryakus, a Christian student waiting in front of the university to be collected by her father, was reported as saying: "I have no choice but to wear the veil; the terrorists are watching and targeting the unveiled girl students".

Pamphlets found on campus declared: "If the boy students don't separate from the girl students, the college will be bombed. Any girl student who does not wear a veil will have their face burned with chemicals."

Some girls of the 12th grade class at a high school in the neighborhood of Al-Zayoonah said: "We want security and peace so we can pursue our careers in peace."

By October 2004 the Ministry of Higher Education and Scientific Research was reported to have learned of about 3,000 women students in Baghdad requesting a postponement of their studies because of the security situation.

Even girls who do go to school have been subjected to increasing pressure to wear a headscarf or veil since the overthrow of Saddam Hussein's government. Women and girls at universities and schools have been harassed and threatened. Female students reported intimidation by members of Islamist groups at



the University of Basra for not wearing the veil. Female teachers and pupils in Basra schools have also been harassed when found without covering on their heads. Such threats have also been reported from campuses in other parts of Iraq. At Mosul University, leaflets were circulated in October 2004 warning women of "a terrible fate" if they did not wear the veil.

Seemingly minor activities such as choosing one's own clothes are an important element of individualism. Restricting women to only one style of clothing is an absurd violation of freedom of expression. The underlying message is, "those who defy the 'rules' shall be punished!" Not only do such practices limit women's rights to education and to work, they also restrict freedom of religion.

Lawlessness, continuing killings, abductions and rapes have shrunk women's freedom of movement and their ability to get educated and to work. The general lack of security in Iraq has forced many women out of the public space, taking away their most fundamental rights.

In order to eliminate violence against women, the government has to ensure that "norms" and beliefs -- historic, religious or cultural -- will not be used to justify practices of discrimination against women.

## 我可做什麼 What can I do?

### 反省

思考一下在日常生活中，有沒有以一些我習以為常，覺得理所當然的概念去區分男女的？

活動範圍——如：女性以照顧家庭為主，男性責任應以出外賺錢為主；行為舉止——如：女子氣質是斯文大方，男子氣概是要剛毅堅強。

### 關心

留心本地以至地球不同角落發生的暴力事件，問一問：為什麼受害的大都是婦女和兒童？為什麼她/他們永遠是受壓迫的大多數？

### 參加

參與國際特赦組織或其他有關團體的活動，與更多人交流，發表及分享你的看法。

若您有興趣參與有關活動，請與本會廖珮珊聯絡：sliu@amnesty.org

### Reflect

Do we have any habit or belief which we have taken for granted in the gender stereotyping? For example: women are to run the family errands while men are the money maker? Dictated by "traditional values": Femininity prescribes softness to tenderness while masculinity dictates strength, sturdiness and toughness.

### Care

Pay attention to violent incidents happening locally and all over the world. Ask questions: For example why do victims of mistreatment happen to be mostly women or children?

### Participate

Take part in Amnesty International's activities and in those of other human rights organisations, express and share your views.

If you are interested in learning more about the Stop Violence Against Women (SVAW) campaign, please contact Si-si Liu at sliu@amnesty.org.

# Myanmar

## 緬甸 the repression continues

### 人民怨聲壓下去

因燃油價格高企引發的和平示威自07年8月於緬甸展開序幕。示威活動由僧人率領，支持者人數急增。而遊行示威者除了要求調降民生物資價格，也呼籲釋放政治犯並推動全國性和解以解決嚴重的政治分歧問題。

9月25日晚，緬甸當局開始鎮壓示威者。至今最少700人被捕囚禁，另有80人不知所蹤。

幾十年來，緬甸違反人權的舉動都是全面以及有計劃的。當中包括：1)使用童兵以及強迫勞動；2)立法把和平的政見表達刑事化 -- 為此，大多數資深的反對派人物都被監禁或拘留。人民在未有逮捕令下被任意逮捕，又被施以酷刑已是司空見慣。

藝術家登林(Htein Lin)亦只是在緬甸眾多的政治犯之一。1998年，因一封朋友寄來邀請參與政治活動的信而被捕的登林被判囚7年，而他本人竟是連該信件也未曾收過。在國際特赦組織主持的一個演說中，登林表達了自己在獄中繼續繪畫的堅決意志，又憶述犯人要在緬甸監獄面對的惡劣境況。

在07年的示威之前，緬甸拘已留了1,150名政治犯。當中以昂山素姬至為人熟悉。過去19年她曾被捕12次，至今仍未獲釋。現在就請參與國際特赦組織的全球行動，促請當局釋放昂山素姬及其他所有緬甸的政治犯。



國際特赦組織(泰國)包圍駐泰國曼谷的緬甸大使館請願  
Amnesty International Thailand demonstration around Burmese  
(Myanmar) Embassy in Bangkok © AI

In August 2007, peaceful demonstrations in Myanmar (formerly Burma) began, sparked by sharp increases in fuel prices. Led by monks, the protests grew rapidly in size and number. Demonstrators called for a reduction in commodity prices, the release of political prisoners, and a process of national reconciliation to resolve deep political divisions.

On the evening of 25 September, the authorities began a crackdown on protesters. At least 700 people arrested during and since the September protests remain behind bars, and more than 80 people remain unaccounted for since the September demonstrations.

For decades, human rights violations in Myanmar have been widespread and systematic. Abuses include forced labour and the use of child soldiers. Laws criminalize peaceful expression of ideas and most senior opposition figures are imprisoned or detained. People are frequently arrested without warrant. Torture is common.

Artist Htein Lin was just one of many political prisoners held in Myanmar. In 1998, he was arrested and sentenced to 7 years imprisonment, on the basis of a letter from a friend inviting him to take part in political activity, which Htein Lin had not even received. At a talk hosted by Amnesty International, Htein Lin described the terrible conditions endured by prisoners in Myanmar, and his determination to continue painting in prison.

Before the 2007 protest, there were already 1,150 political prisoners in detention in Myanmar. The best known of these prisoners is Aung San Suu Kyi, who has been under house arrest for 12 of the past 19 years. Her release is long overdue. Please take part in Amnesty's worldwide action to free Aung Sau Suu Kyi and all other political prisoners in Myanmar.

有意參加國際特赦組織的東南亞組，可電郵給該組統籌：  
se\_asia@amnesty.org.hk

To get involved in Amnesty International's South-East Asia group, please email the coordinator at  
se\_asia@amnesty.org.hk

隨著中國當局打壓在西藏抗議的人民，相關的新聞由今年三月起逐漸湧現。3月10日最初的和平抗議據報遭到警察過份的武力鎮壓，侵犯了示威者和平表達意見的權利。抗議行動及後演變成暴力，一些相信是漢族的人被襲。



在甘肅省夏河縣，西藏人民望著武警整頓隊形  
Tibetans look at the Chinese riot police standing in formation at a Chinese army compound in Xiahe, Gansu Province, China.  
© Andy Wong/AP/PA Photo

The Tibetan Autonomous Region (Tibet) has been in the news since March, following the Chinese authorities' crackdown on protesters. Initial protests on March 10 appear to have been peaceful, but were reportedly suppressed with excessive use of force by the police, in violation of the demonstrators' right to peacefully express their views. Later protests turned violent, with some individuals being attacked by protesters because they were believed to be Han Chinese.

Amnesty condemns such attacks and acknowledges the Chinese authorities' right and duty to protect all individuals against violence. But the organization is extremely concerned at reports of excessive force, arbitrary detentions and intimidation against the Tibetan protesters by the authorities.

Hundreds of people were detained in response to the unrest, and could face torture and other ill-treatment by China's security forces. Global experience shows that torture and human rights abuses tend to flourish in an environment of secrecy. Amnesty is extremely concerned about the fate of those detained. The lack of information on Tibet and the surrounding areas not only made it difficult to confirm reports, but was also a betrayal of official promises to ensure "complete media freedom" in the run-up to the Olympics.

As an impartial and independent human rights organization, Amnesty International neither supports nor opposes calls for Tibetan independence. Amnesty's concern is that the human rights of all those living in

# Protests in Tibet

## 在西藏的抗議事件

國際特赦組織譴責這些襲擊及肯定中國當局有權及有責任保護所有人免受暴力對待。然而，組織極度關注有報導指中國當局對西藏抗議的人士使用過度的武力、任意拘留及脅迫。

數以百計的人民在動亂中被拘留，他們可能會面對中國保安部隊的酷刑對待及虐待。國際的經驗顯示人權侵犯傾向在秘密隱蔽的環境中出現，所以，國際特赦組織極之關注被拘者的命運。缺乏資訊以了解西藏及其附近地方，不單只令報導的真確性難以辨別，且違背了官方承諾在奧運臨近期間的「全面媒體自由」。

作為一個中立及獨立的人權組織，國際特赦組織既不支持亦不反對西藏獨立，我們關注的是所有生活在西藏的人的人權在根據國際標準下得到尊重。中國當局必須准許聯合國對事件作出獨立調查，同時亦須對該地區長期的人權監察活動解禁。

請閱讀國際特赦組織的新近報告：People's Republic of China. The Olympics countdown — crackdown on Tibetan protesters (ASA 17/050/2008)

Tibetan areas are respected, in accordance with international standards. The Chinese authorities must allow independent UN investigation into the events in Tibet and lift the long-term restrictions on human rights monitoring in the area.

Read Amnesty's report, "People's Republic of China. The Olympics countdown — crackdown on Tibetan protesters", ASA 17/050/2008.



曾在西藏受酷刑迫害的Kalsang Palmo在日本東京的中國大使館門前呼籲廢除酷刑  
Kalsang Palmo, torture victim from Tibet, appeals for the abolition of torture in Tibet in front of the Chinese embassy in Tokyo.  
© Ai (Kazutoshi Murata)



## Effectiveness Of Hong Kong's Race Discrimination Bill 種族歧視條例草案的有效性

二零零一年，聯合國消除種族歧視委員會(下稱委員會)於對香港特別行政區政府發出的審議結論中提出以下意見：

「建議香港特別行政區政府對目前無法令人滿意的狀況作徹底審查，通過恰當的立法，並提供恰當的法律補救，如禁止基於性別和殘疾歧視的立法，禁止基於種族、膚色、血統或民族或族裔的歧視。」

In 2001, the Committee on the Elimination of Racial Discrimination (CERD) recommended that the Hong Kong government:

“review the existing unsatisfactory situation thoroughly and that appropriate legislation be adopted to provide appropriate legal remedies and prohibit discrimination based on race, colour, descent or national or ethnic origin, as has been done with regard to discrimination on the grounds of gender and disability.”

最後，政府於二零零六年十二月於立法會提出種族歧視條例草案，至今，立法會法案委員會仍在研究該條例草案。一些非政府組織、學者和獨立人士均對該法案的制定表示非常關注，他們就其內容作了嚴謹的審查，並指出條例中包含不少漏洞，當中有四項的規定猶有問題。如獲通過，將會削弱條例執行的有效性，亦可能為某些基於種族的歧視提供了合法性。這四項規定現如下：

1. 未能應用於政府其他法案
2. 缺乏對直接和間接歧視的具體定義
3. 過於廣泛的豁免規定 (特別在語言和教育範疇的豁免)
4. 永久性居民和非永久性居民的劃分

種族歧視條例草案中對歧視所作的定義，顯然未能附合委員會對特區政府於阻止歧視上所定的責任，亦因此未能落實委員會於二零零一年給予特區政府的意見。上述四項值得關注的規定不僅削弱了條例的有效性，甚至容許了一些不合理的種族歧視。該法案反映出特區政府缺乏落實平等和不歧視的政治決心，亦缺乏履行國際人權公約所載責任的關注。

種族歧視條例草案比起現時基於性別、殘疾和家庭崗位歧視的立法，提供更少保障。反之，法案本身更帶有種族歧視成分：政府界定「種族」的定義十分狹隘，根據建議條例中的定義，內地新來港人士將不被包括在保障範圍內，原因是內地新來港人士將被視作跟本地中國人是同一種族，而不會被視為另一個種族群，這是香港反歧視立法的嚴重倒退。

再者，此法案更為政府提供了合理濫用的途徑，同時合理化了現時一些帶種族歧視性的政策和慣例。此法案將降低決策者及服務提供者對不同文化的敏感度。所以，此法案實比現時三項反歧視的條例，包括性別歧視條例、殘疾歧視條例，以及家庭崗位歧視條例更不充分和欠缺說服力。種族歧視條例草案應能表明特區政府已作好準備打擊種族歧視和促進種族平等和共融，然而，它反映的卻是特區政府缺乏對國際人權公約所載責任的承擔。種族歧視條例草案一方面未能遏止歧視，取而代之的將種族歧視制度化，這是非常教人憂慮的結果。



在七一遊行中，國際特赦組織(香港)要求政府履行作為《消除一切形式種族歧視國際公約》締約成員的責任，修改種族歧視條例草案。  
In the July 1 rally, Amnesty International HK demanded HK Government to fulfill its obligations under the International Convention on the Elimination of All Forms of Racial Discrimination and amend the Race Discrimination Bill

\*詳細資料請瀏覽本會網址：

\*For more information, please visit our web-site:  
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Finally in December 2006, the Hong Kong Government introduced the Race Discrimination Bill (RDB) in the Legislative Council. It is now being studied by the Bills Committee, and non-governmental organizations, academics and individuals concerned with the Bill's enactment have likewise subjected it to strict scrutiny. Many flaws in the bill have been identified. However, four issues have been identified that are considered as particularly problematic as they reduce the Bill's usefulness and effectiveness. It even legalizes some discrimination on the ground of race. The four fundamental concerns cover the following:

1. non-application to many Government acts;
2. limited definition of direct and indirect discrimination;
3. exemptions with respect to language and education; and
4. exemption based on nationality and residency status.,

The present bill's definition of discrimination does not at all comply with Hong Kong's obligations under the International Convention on the Elimination of All Forms of Racial Discrimination to prohibit discriminatory effects. It thus fails to fully implement the 2001 recommendations made by CERD, the treaty body monitoring the implementation of the convention. The provisions that are of concern weaken the bill and in effect permit unjustifiable racial discrimination. This shows the government's lack of political will to commit to the principle of equality and non-discrimination, and its lack of concern in fulfilling its international human rights obligations.

The RDB provides less protection from discrimination than existing legislation prohibiting discrimination on the basis of sex, disability and on the ground of family status. The bill itself even discriminates against race since the word "race" as interpreted by the government is limited and therefore does not address the discrimination faced by people coming from mainland China. They are being viewed as people of the same ethnic origin as the local Chinese, and thus not considered a separate racial group. This is a serious setback to the development of anti-discrimination laws in Hong Kong.

The RDB paves the way for government abuses and would justify existing racially discriminatory policies and practices. It is much weaker than the three existing anti-discrimination ordinances, namely the Sex Discrimination Ordinance (SDO), the Disability Discrimination Ordinance (DDO) and the Family Status Discrimination Ordinance (FSDO). The RDB should show that the HK Government is ready to combat discrimination and to promote racial equality and harmony. But, despite the efforts of the different NGOs, academics and other concerned groups, the government has shown itself willing to make very few amendments to address the concerns raised. This signals the lack of will on the part of the government to honor its commitment under the international convention. There is great fear that instead of abolishing discrimination, the RDB will end up institutionalizing racial discrimination.

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