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EDITORIAL

A month of ironies, of hypocrisy. Whilst George Bush criticised China for her human rights record on the eve of the Olympics, new reports emerged of America's torture record. Similarly, the short-sightedness of the American government is once again evident in its condemnation of Russia's invasion of Georgia, especially as new evidence emerged simultaneously about the run up to the invasion of Iraq.

Let's hope that this 'one rule for us, a different rule for them' will not continue. That said, there has been some hope this month. Despite the fact that much of the criticisms of China have been purely political rhetoric, human rights have once again been seen in a positive light – as the protector of individual freedoms from the state.

We hope that this will be transposed back into our domestic thinking, and the proposed Bill of Rights is perhaps one way of creating such a culture and helping to dispel the frequently occurring myths. There even seems to be some hope in the USA, with what looks like it may be the beginning of a judicial backlash against Guantanamo Bay indicated by the Hamdan trial.

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Human Rights News

After six years of Guantanamo, Hamdan sentenced to just five and a half years

The first war-crimes tribunal at Guantanamo Bay came to a close this month, with Salim Hamdan, Osama Bin Laden's former driver, being convicted of providing support to Al-Qaeda, but acquitted of the more serious charge of conspiring to attack civilians, and subsequently sentenced to just 66 months, meaning that he is eligible for release in less than five months.

The Pentagon has already made clear however that he will not be released and that Hamdan will continue to be held indefinitely as an enemy combatant.

Too much 'spying'?

Councils and health authorities are to be given the right to access e-mail and internet records under surveillance powers to be introduced next year, the Home Office said this month. Although these powers were introduced as exceptional measures to tackle terrorism, there is an attempt to normalise their use to cover other criminal activity and threats to public safety.

The measures would involve internet service providers storing data on individuals for a minimum of 12 months. This comes at the same time as the spying watchdog calling for council to make more use of existing legislation to investigate and intercept communication.

A Bill of Rights for Britain?

The Joint Committee for Human Rights published their long awaited report into a Bill of Rights for Britain this month, proposing that a Bill of Rights could be beneficial in protecting individuals from the State, and also being the glue that could unite a divided society. The group of peers and MPs charged with overseeing human rights in the UK indicated their aspirations that any such Bill of

Rights would go beyond existing rights, embracing new social and economic rights.

Further, the JCHR rejected any contingent notion of rights – that responsibilities must be met before one could claim a right – but did accept that citizens have moral duties to one another.

Tables are turned as UN accuses UK of stifling free speech

The UN has warned this month that laws in the UK are too restrictive in limiting freedom of speech. Criticism was levied at defamation laws which result in 'libel tourism' with foreigners suing in UK courts in order to achieve more favourable results than they may have otherwise achieved.

The UN Report also criticises aspects of terror laws calling the definition of 'encouragement of terrorism' in section 1 of the terrorism Act, 'broad and vague'. The possible extension for the period of detainment of terrorists without charge from 28 to 42 days has been further described as 'disturbing'.

Finally there was also criticism of the way that the Official Secrets Act had been used disproportionately to limit exposure of information in the public interest, even where there was no threat to national security. The report calls for reform – whether these will be implemented remains to be seen.

British security services colluded in unlawful detention of terror suspect, court rules

The four-year Guantanamo Bay inmate Binmay Mohamed was apparently tortured in Pakistan and Morocco before being sent to Guantanamo. The High Court ruled that British security services took part in the unlawful detention of Mohamed in Pakistan. The judges ruled that the Foreign Secretary had a duty to provide information to

Mohamed's legal team which could strengthen the case that Mohamed had been tortured. An official court order for the handover of information has not yet been made in order to allow the Foreign Secretary to consider any national security implications. Whether 'national security' will trump 'access to information' remains to be seen. If Mohamed should be found guilty by the Military Tribunal he will face the death penalty.

US and UK criticise China on its human rights record whilst China is dissatisfied with such remarks

President George Bush used the occasion of the Olympics this month as an opportunity to highlight and criticise China for oppressing her people. On the eve of the Opening Ceremony, Bush used particularly strong language condemning China, and pressing for her to give greater freedoms to the Chinese people.

On his flight to the closing ceremony of the Olympic Games, British PM Gordon Brown stressed the importance that China upholds its human rights progress and promises during and after the conclusion of the Olympic Games. PM Brown defended his trip to Beijing by emphasising the need to encourage China's 're-engagement' in the world, which is in Britain's national interest.

Criticism of China's human rights records has not been met warmly by Chinese officials. Chinese Foreign Ministry spokesman Qin Gang argued that China is in fact taking steps to protect human rights. The protection of human rights is enshrined in the country's constitution.

However China's arrest of U.S. citizens during a pro-Tibet independence demonstration during the Olympics has shown that this may not necessarily be the case. In response, Gang cited Abraham Lincoln's inaugural speech which highlighted the importance of 'preserving the unification of the nation', which is precisely what China seeks to uphold.

Trade Agreements as a Tool to further Human Rights

The California First Amendment

Coalition (CFAC) is asking the U.S. government to file a formal complaint against China at the World Trade Organization (WTO) in Switzerland.

The CFAC argues that China's strict censorship of internet activity and blocking of foreign websites, such as BBC and YouTube, has meant that foreign websites do not enjoy equal access to Chinese users in comparison to Chinese websites. Accordingly, this constitutes an act of discrimination against foreigners, which is contrary to WTO rules.

A possible 'legal assault' on China has received a lukewarm response from YouTube and Google. The case serves to highlight the inter-linkage between commercial trade and freedom of speech. International trade may well strengthen the status of human rights.

Suspension of stoning executions a welcome step if carried out

Following pressure from the Stop Stoning Campaign, Iran's judiciary has announced that execution by stoning will be suspended. Stoning to death is the punishment for adultery in Iran and the majority of those executed by stoning in Iran are women.

Amnesty International has welcomed the judiciary's decision and expressed its hope that other forms of punishment, such as the amputation of limbs, be halted.

Following an earlier breach of a suspension on stoning, it is uncertain whether the judiciary's decision will have an effect. However, the decision has in fact led to several women who were facing the punishment to have their sentences commuted.

New allegations of torture and illegal detention

An American-educated neuroscientist was in court in New York this month accused of attempting to murder an American interrogator in Afghanistan.

Aafia Siddiqui disappeared in 2003 only to resurface five years later claiming that she was abducted, imprisoned, and tortured in a US detention centre.

INTERVIEW

Mignon Mazique and Najia Hyder Mercy Corps



Mercy Corps is a global international development agency. Our mission is to alleviate suffering, poverty and oppression by helping people

build secure, productive and just communities.

In each country the focus is based on the needs on the ground. Wherever we work, we work with local partners. These could be local non-governmental organisations, the government, or the communities with whom we are working. In a lot of the other countries we entered as a result of an earthquake, a tsunami, or another disaster.

Most recently we were starting a program that would help South Ossetians and Georgian youth to come together. We had just received funding for it from the U.S. government and it started in July of 2008. We had to suspend the program as a result of the ongoing conflict in Georgia. The program will now need to be re-designed.

Challenges happen fairly regularly. But one of them was mobilizing Mercy Corps to respond to the tsunami because it was so huge and we weren't ready for it. The emergency was so massive that it was hugely challenging to find the right people, get them there on time, and figure out how to get the provisions and the help to the people who needed it the most quickly. That whole thing was a gigantic challenge.

Our people work long hours, and with great intensity. One of the wonderful things about Mercy Corps is that people feel responsible for the organization. They feel commitment and ownership for the outcomes of the organization and so we work really hard doing whatever is necessary independent of our position description.

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