

# CLArion

No. 0603, 01 March 2006

- email newsletter of Civil Liberties Australia  
(ACT Assn. No. A04043).  
E: rowlings@netspeed.com.au  
Phone: 02 6288 6137

## CLA to meet prison project director

CLA's prison committee members will meet with the director of the ACT Prison Project, John Paget, this month.

The \$128.7m Alexander Maconochie Centre, as the prison will be known, is due to be completed in the 2007-8 financial year.

ACT Chief Minister Jon Stanhope has promised the prison will be fully human rights compliant.

CLA's team for the meeting will include Keith McEwan, Vic Adams and president Dr Kristine Klugman.

The meeting is in line with CLA's strategic aim to anticipate issues, and seek future solutions, rather than reacting in this case after the prison opens.

Concerns that CLA will raise include how compliant the new prison will be with the recommendations of the Hal Wootten Inquiry into Aboriginal Deaths in Custody of 1988-1991.

CLA will also raise the issue of official prison visitors.

## Fisk to lecture in Canberra on M-E

Renowned Middle East commentator and author Robert Fish will present *Politics, conflicts, and powerplays in the Middle East* on Thursday 9 March from 8pm in Lecture Theatre 1, Manning Clark Centre, Union Court, ANU.

This lecture is free and open to the public. Inquiries: 6125 4982

Award-winning journalist Fisk has been reporting on the Middle East for 30 years, covering every major event in the region. His most recent book *The Great War for Civilization: The Conquest of the Middle East* is based on his experience and intimate understanding of the region.

(see book review, below, by Peter Dowding of the WA civlib group)

## SPECIAL NOTICE

The annual social barbecue and  
CLA (ACT) Inc (A04043)

## Annual General Meeting

will be held on

Saturday 25 March

5pm-7pm (AGM at 5.30pm)

Venue: 51 Ardlethan Street FISHER

BYOG only: delicious meats and  
salads will be provided

**RSVP: By 8pm Thurs 23 March.**

PLEASE COME for these reasons:

1. We need the numbers for a quorum
2. Meet CLA's other interesting, diverse members.
3. Help plan future CLA activities.

## Senators distribute questionnaire

Senators Kate Lundy (Labor) and Gary Humphries (Liberal) have distributed a CLA questionnaire to all federal MPs on CLA's behalf.

The questionnaire asks for MPs' personal opinions on whether or not they support a Bill of Rights for Australia.

## New ANU students sign up as supporters

CLA director Anthony Williamson signed up more than 30 new ANU students as supporters of CLA in February.

He manned a CLA display stand on Orientation (or 'Market') Day at the ANU.

Learning from CLA member Lynne Bliss that location, location, location was everything in real estate, Anthony set up CLA's stand between the stands of Amnesty and the Tenancy Advice people.

The result was bumper interest in CLA's activities.

## Estimates Senator agrees to quiz DFAT on CLA's behalf

Senator John Faulkner, noted for his tough questioning during Senate Estimates, has agreed to pursue the Department of Foreign Affairs and Trade on CLA's behalf.

The questions to be raised relate to DFAT's claims of positive human rights

dialogue between Australia, China and Burma.

CLA sought to ask the questions, seeking details of the 'successes' claimed in the DFAT annual report, under Freedom of Information (FOI) legislation, but was told by DFAT there would be a charge – possibly running into hundreds or thousands of dollars.

The questions were identified by CLA member Herschel Hurst as part of his evaluation of the DFAT annual report.

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– from HRO email, 2 Feb 06

### **Same sex civil unions law to be tabled**

Legislation recognising same-sex relationships is due to be introduced to the ACT Legislative Assembly this month.

The new civil union law, closely modelled on the New Zealand *Civil Union Act 2004*, will be available to opposite sex couples as well, and will provide partners with the same legal recognition under ACT law as married couples.

For further details see

<http://www.chiefminister.act.gov.au>.

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– 28 Feb 06

### **ACT's Anti-Terror Bill gets thumbs up from committee**

The ACT Legislative Assembly's Standing Legal Affairs Committee (SLAC) has given a broad 'thumbs up' to the draft ACT anti-terror legislation.

This is the 'local' legislation which must be passed by the ACT Legislative Assembly to complement the federal legislation, passed by the Australian Parliament in late-2005.

The SLAC has produced 36 recommendations which aim to refine, define or improve the legislation and its impact.

Notable are:

Recommendations 3 and 4: These seek a long-needed clarification of the ACT Government's legislative powers in relation to its own police force.

Reco 6: That the ACT Government develop specific strategies to engage with people, particularly youth, who may potentially be marginalised by these laws.

Reco 14: Which basically leaves it open to the ACT Supreme Court to conduct open,

public hearings in cases brought under the legislation.

Reco 21: Which would amend the draft legislation to include a right of judicial review of a monitoring order.

Reco 25: Which calls for a special, combined report to the SLAC annually to be made by all interested agencies, including the Chief Police Officer.

Reco 26: Which would spell out a long list of the items and issues to be reported on annually.

Recos 34 and 35: Which relate to preventing the use of any evidence obtained by torture, or using cruel, inhumane or degrading treatment.

Recos 36: Which proposes retaining the five-year sunset clause for the legislation in the ACT, with a review after three years.

The proposed legislation is more acceptable than the Commonwealth legislation, or that of other States.

However, it will still:

- lock people away on suspicion only without any usual habeas corpus safeguards;
- make our part of Australia more of a 'police state' than it is now; and
- tend to alienate the ACT Muslim community.

[For a copy of the full report](#) (which is 609Kb in size), email requesting the 'ACT Terror Bill report' to CLA secretary Bill Rowlings, who will email it to you.

Alternatively, the document can be downloaded from:

<http://www.parliament.act.gov.au/committees/committees.asp?action=reports&committee=51&session={28%2F02%2F2006+5%3A44%3A56+PM}>

SLAC members are Bill Stefaniak (chair, Liberal), Karin MacDonald (Labor) and Deb Foskey (Greens). Mick Gentleman (Labor) stood in for Ms MacDonald for parts of the hearing.

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### **Stanhope agrees to amend law following CLA submission**

Chief Minister Jon Stanhope has written to CLA agreeing to amend a Bill to remove strict liability where its application would be unfair and unreasonable.

The change is a win for CLA...and for the ACT Human Rights Act 2004.

People will now not be convicted for an aggravated offence against the proposed Crimes (Offences Against Pregnant Women) Amendment Bill 2005 if they were unaware the woman was pregnant.

The original Bill would have attributed strict liability, regardless of whether an offender could reasonably have known the woman was pregnant.

"I accept that the absence of the requirement to prove fault for the aggravating factors is a limitation to the right to presumption of innocence and also that the limitation of that right may not accord with fundamental principles or satisfy the reasonable limits test in section 28 of the Human Rights Act 2004," Chief Minister and Attorney General John Stanhope said in a letter to CLA on 15 February.

"Having regard to the legitimate concerns that have been expressed, I have decided to amend the Bill so that a person would not be convicted for an aggravated offence if he or she did not know and could not have reasonably known about the pregnancy."

The CLA campaign to improve the draft law was led by Director Anthony Williamson.

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– details from UN/Human Rights Watch on new Human Rights Council, 23 Feb 06

### **Proposed new body should be slight improvement on tarnished predecessor**

UN Secretary-General Kofi Annan last week released the proposed new resolution to set up a replacement Human Rights Commission.

Welcomed as an improvement by most observers, the new HRC will for the first time consider the HR record of countries elected to its committee.

The key elements of the draft resolution, as reported by Human Rights Watch, are:

- The council will meet at least three times a year for 10 weeks – an improvement on the commission's single annual six-week meeting – with a right for one-third of the council members to call additional sessions "when needed".
- The proposal that members of the HRC be elected by a two-thirds majority of UN General Assembly member states was dropped under pressure from

governments in favor of election by an absolute majority of member states.

However, the resolution introduces for the first time the idea – seemingly intuitive but never before officially pronounced – that governments voting for Council members should consider the candidates' human rights records, pledges, and commitments.

This proviso may allow supporters of human rights to discourage and sometimes defeat the candidacy of abusive governments.

- The resolution would permit the General Assembly to suspend any member of the Human Rights Council that commits gross and systematic violations of human rights.

- The old commission's system of independent 'special rapporteurs' and other special procedures, which is one of the great strengths of the UN human rights system, will be retained, as will the tradition of access for human rights NGOs.

However, the special procedures will be subject to review within one year, so member states must be vigilant to ensure they are maintained, Human Rights Watch said.

- Members of the council are committed to cooperate with the council and its various mechanisms – an improvement on current practice, in which some members of the commission refuse to grant unimpeded access to UN human rights investigators.

- The right of the council to address serious human rights situations through country-specific resolutions is reaffirmed.

- A new universal review procedure will scrutinise the records of even the most powerful countries – an important step toward redressing the double standards that the commission was often accused of applying.

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– report of meeting, Hobart, 18 Feb 06

### **CCL Tasmania is revived and thriving**

A strong Council for Civil Liberties has been re-formed in Hobart, with about 50 members signed up since formal incorporation in August 2005.

Highlight so far has been attracting a public crowd of about 800 late last year to protest against the Australian Government's proposed Terror Bill, since passed.

CLA president Dr Kristine Klugman and secretary Bill Rowlings met last month with the Tasmanian CCL to discuss exchange of information and mutual opportunities.

Present from the Tasmanian group were president Paul Storr, vice president Barry Dickson and Martin Haywood, as well as Paul's daughter Tess, who provides the link to university students.

Paul Storr said the Tas CCL was very keen to become involved as part of the national CCL group being formed following the meeting in Sydney in June 2005.

CLA has asked Liberty Victoria's Greg Connellan to include Tasmania in the consultation process around the draft Australian CCL constitution.

With an election due in Tasmania this month, there was little prospect of getting a Bill of Rights on to the agenda, the Tasmanian group said.

While the Tasmanian Greens are strong supporters of a BoR, the ruling Labor Party and current Premier Paul Lennon has no interest whatsoever in the concept, and nor do the Liberals, the Tas CCL people reported.

Council for Civil Liberties, Tasmania:  
President: Paul Storr  
Vice President: Barry Dickson  
Treasurer: Miles Jordan  
Secretary: Caroline Evans  
Website: [www.tasccl.org.au](http://www.tasccl.org.au)

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– from ACT HRO email, 2 Feb 06

#### **Discrimination Act will be reviewed**

The ACT Government has agreed to a proposal from the Human Rights Office (HRO) that the *ACT Discrimination Act 1991* (DA) should be comprehensively reviewed to ensure its compatibility with the *Human Rights Act 2004*.

The Government is already committed under the Facing Up to Racism Strategy to reviewing the racial vilification provisions in the DA.

ACTCOSS has proposed protecting people from discrimination on the ground of socio-economic status.

"A wide-ranging review will provide an opportunity to consider the merits of different legislative models for accommodating diverse needs and achieving substantive equality," the HRO says.

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– from ALRC email, 8 Feb 06

#### **Complexity, courtroom games must go in evidence shake-up, says ALRC**

Australia must have a single set of streamlined, flexible evidence laws to protect witnesses and parties, recognise confidential relationships, and curb courtroom 'games', Australia's peak law reform agency said today.

"It is crazy we have so many different evidence law regimes in this country – it is far too complicated for litigants and lawyers and contributes to unnecessary cost and red tape for business," Australian Law Reform Commission (ALRC) President Prof David Weisbrot said.

A joint 18-month inquiry into evidence law by the ALRC and the NSW and Victorian law reform commissions produced a report, *Uniform Evidence Law*, containing 63 recommendations for reform, released on 8 February.

Prof Weisbrot said the Commonwealth, NSW, Tasmania, the ACT and Norfolk Island operate under the uniform Evidence Acts scheme, introduced following a previous ALRC inquiry completed in 1987.

"This (2006) inquiry has finally produced real momentum towards a single set of evidence laws, with Victoria, WA and the NT indicating that they intend to enter the uniform scheme," Prof Weisbrot said.

However, the ALRC refused to adopt a proposal in CLA's submission to the inquiry which would have tightened up the rules on admissibility of evidence.

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– from UNity, newsletter of the UN Assn of Australia, 9 Feb 06

#### **Troops bill breaches Constitution, says Senator Brown**

The Defence Legislation Amendment (Aid to Civilian Authorities) Bill, which passed the Senate on 8 February, breaches sections 118 and 119 of Australia's Constitution, according to Greens Senator Bob Brown.

"This legislation rides arrogantly over the bedrock Constitutional provisions that state laws will be honoured and that troops can only be called out against Australians if the relevant state government calls for it.

"This dangerous legislation usurps the Constitution to give the Prime Minister the power to call out troops who are able to shoot Australian citizenry where a threat, but no actual violence, has occurred.

"With this Bill a prime minister could (have) call(ed) out troops against the Franklin River protest when prominent conservative MPs called for it in 1982," Senator Brown said.

Senator Bob Brown 03 6234 1633 or  
Email: [senator.brown@aph.gov.au](mailto:senator.brown@aph.gov.au) or  
website: [www.bobbrown.org.au](http://www.bobbrown.org.au)

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– from ACT HRO email, 20 Feb 06

### **Unique HR job in Australia up for grabs**

Australia's only enacted HR legislation adviser position is free.

The ACT Human Rights Office is seeking to fill the Human Rights Legal and Policy Adviser job, with the closing date for applications 9 March 2006. The vacancy occurs because Rowena Daw is returning to the UK.

More info: Jenny Earle, Human Rights and Discrimination Law Policy Adviser, ACT HRO on 02 6207 0576

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– from various reports, 21 Feb 06

### **Austria hands down 3-year sentence to holocaust denier Irving**

British historian David Irving, who pleaded guilty to denying the Holocaust, was sentenced to three years in prison by an Austrian court in February.

He conceded that he was wrong when he said there were no Nazi gas chambers at the Auschwitz death camp.

"I made a mistake when I said there were no gas chambers at Auschwitz," he said before sentencing for a crime carrying up to 10 years in prison.

He also expressed sorrow "for all the innocent people who died during the Second World War."

Mr. Irving's lawyer, Elmar Kresbach, immediately announced that he would appeal the sentence.

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– from UNity, email newsletter of the UN Assn of Australia, 3 Feb 06

### **Executing severely mentally ill in the US reveals systemic problems: Amnesty**

Hundreds of severely mentally ill offenders in the US are mired within a healthcare system that is too slow to help and a justice system that is too quick to pass death sentences, says Amnesty International.

The comment came as the civil liberties group launched a major report on the use of the death penalty against mentally ill offenders in the US.

The report focuses on the systemic problems confronting the mentally ill and chronicles the cases of 100 severely mentally ill offenders executed since 1977 – 1 in 10 of the total number of executions since then.

Citing pervasive systemic failures in both the health-care and the criminal justice systems, the report also highlights the grim situation of the mentally ill currently on death row.

According to the US National Association of Mental Health, the mentally ill comprise 5 to 10 per cent of the US's total death row population of about 3,400.

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– from ACT HRO email, 2 Feb 06

### **Chance to subscribe to HRO newsletter**

The ACT Human Rights Office (HRO) has a publication, Update, which carries information on recent and upcoming developments in human rights and anti-discrimination law, policy and practice.

If you would like to subscribe email [human.rights@act.gov.au](mailto:human.rights@act.gov.au) and tell the HRO whether you prefer to receive it in electronic or hard-copy format.

For details of upcoming events and further information about discrimination and human rights check

[www.hro.act.gov.au/education.html](http://www.hro.act.gov.au/education.html).

The ACT Government's human rights website is also a helpful resource and can be found at

<http://www.jcs.act.gov.au/humanrightsact/indexbor.html>.

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– from ACLU email 3 Feb 2006

### **US Patriot Act: decision day postponed to 10 March**

On a voice vote, the House of Representatives extended the expiry date of the Patriot Act to March 10, 2006.

Originally, early February was the time for a vote to continue operation of the Act,

which is partly a model for the Australian anti-terrorism legislation.

The Patriot Act was first extended in December 2005 the Senate successfully filibustered the White House's version of the bill, sending a signal to President Bush that Americans demanded genuine reform.

The American Civil Liberties Union (ACLU) is urging Congress to "...reform the invasive powers expanded by the Patriot Act to restore checks and balances and better protect the privacy and liberty of ordinary and innocent Americans".

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– from Human Rights First email, 1 Feb 06

### **Activist held in solitary**

Outspoken government critic and leading human rights activist Akbar Ganji was in February in the fourth month of solitary confinement in a high security wing of Tehran's Evin Prison.

Serving a six-year sentence for his investigative journalism exposing the government's involvement in the murder of dissidents, he is due for release in April.

Ganji continues to be a leading voice holding the Iranian authorities accountable for serious violations of human rights and advocating non-violent resistance to the government.

"For refusing to recant his previous writings and for continuing to promote human rights he is being held in what amount to punitive prison conditions," Human Rights First said.

Ganji himself has said: "The reason I have stood firm is to show that it is possible to stand against darkness and ruthlessness."  
– Akbar Ganji, July 2005

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– from ACLU emails 3 and 8 Feb 06

### **ACLU protests alleged 'spying on Americans' by US Dept of Defence**

Several diverse groups have joined an American Civil Liberties Union FOI request after learning that they are listed in the Pentagon's Threat and Local Observation Notice (TALON) database.

The TALON program was initiated by former Deputy Secretary Paul Wolfowitz, now head of the World Bank, in 2003 to track groups and individuals with possible links to terrorism.

According to parts of the database leaked to the media in December 2005, the

Pentagon has been collecting information on peaceful activists and monitoring anti-war and anti-military recruiting protests throughout the USA.

The latest FOI requests are another step in the ACLU's multi-pronged effort to put an end to unwarranted domestic spying and curb the Bush Administration's abuse of power, the ACLU says.

For more information, go to:  
[www.aclu.org/spyfiles](http://www.aclu.org/spyfiles)

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– from MEAA e-newsletter, 3 Feb 06

### **FOI case granted leave to appeal to High Court**

The long-running action by *The Australian's* freedom of information (FOI) editor Michael McKinnon to access Treasury Department tax data will be heard by the High Court.

In early February, three judges of the High Court granted McKinnon leave to appeal, saying the case went to the heart of government accountability.

The appeal to the full court will be heard in August.

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– from a report by Peter Prengaman, Associated Press, 23 Feb 06

### **Muslims and LA County sheriff launch anti-terrorism initiative**

Muslim leaders from Southern California and Los Angeles County Sheriff Lee Baca have launched a campaign to increase cooperation in the fight against terrorism and expand the role of American Muslims in denouncing extremist groups like al-Qaeda.

The Muslim-American Homeland Security Congress, with representation from nearly every prominent Muslim organization in Southern California, will share information on possible terrorist threats, create a youth council to reach Muslims who might feel alienated in American society and give religious leaders a collective platform to condemn terrorist acts.

"Together, we will fight bigotry and work jointly to prevent terrorism," Baca said at a news conference where he was joined by Muslim leaders.

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– from news and other reports, 22 Feb 06



## **US authorities charge three men with Toledo-based plot**

A US federal court in Toledo, Ohio, indicted three men on 21 February over an alleged conspiracy to provide support and funding for insurgents fighting US troops in Iraq.

The three suspects – one from Lebanon, one from Jordan and one a US-born Jordanian – face charges that include conspiracy to kill and maim people serving the United States, and conspiracy to manufacture explosive devices for the same purpose.

One suspect was also charged with making verbal threats against US President George W. Bush.

Two of the men were arrested 19 February in Toledo, while the third was arrested the same day in Jordan. All have pleaded not guilty.

US Federal agents also raided the Toledo-based charitable organization KindHearts, a non-profit group that provides humanitarian aid to Palestinians in Gaza.

US authorities have now frozen KindHeart's assets, alleging it was channeling funds to Hamas.

US Attorney General Alberto Gonzales said investigations into the two cases were separate, but that the charitable organization and the three suspects were linked.

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– clipping supplied by Christopher Michaelsen, CLA member, Anti-Terrorism Officer, Human Rights Department. OSCE, Office for Democratic Institutions and Human Rights (ODIHR), Warsaw, Poland

– from *Le Monde Diplomatique*, Feb 2006, by hon. president, International Federation for Human Rights (IFHR), Patrick Baudoin; translated by Barry Smerin

### **Guilty, but a scapegoat, is the claim for Muslim about to face US trial**

Zacarias Moussaoui goes on trial in the USA this month for conspiracy to commit acts of terrorism.

If convicted, he faces the death penalty.

He has been detained since before the 11 September 2001 Twin Tower aircraft attacks in New York, in which he claims he took no part.

Moussaoui, a French national of Moroccan origin, became a radical Islamist and who spent time in Afghanistan and Pakistan.

On 23 Feb 2001 he left London, where he had been since 9 February, for Chicago, on a three-month tourist visa. He enrolled at a flight school near Minneapolis, and was taught on a simulator how to pilot a Boeing.

On 16 August 2001 he was arrested by immigration officers for overstaying his visa, and put in detention in Minneapolis.

On 11 December 2001 he was indicted on six counts of conspiring with Osama bin Laden and other members of Al Qaeda to kill thousands in New York, Virginia and Pennsylvania.

His trial has been long delayed due to legal manoeuvrings on both sides, by Moussaoui being uncooperative with nominated defence lawyers, and by his changing the details of his story, and his pleading (he now pleads guilty).

Moussaoui has claimed he was training for a subsequent aircraft attack on the White House, and that he had nothing to do the 11 Sept attacks.

“Justice relies on rational investigation, not on emotion,” *Le Monde Diplomatique* says.

“The legitimate desire to punish those responsible for the deaths of thousands must not lead to condemnation of the wrong man, who would become the victim of arbitrary power. Moussaoui has not committed homicide on US soil.

“Even if one favours the death penalty, it has never been imposed for a crime other than homicide since capital punishment was reintroduced in the US in 1976.”

Moussaoui's execution, which he sometimes seems to wish for, would make him a martyr whose death would inspire other suicide bombers, the publication says.

Full background/details at:

<http://mondediplo.com/2006/02/05moussaoui>

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– supplied by Christopher Michaelsen, CLA member (see above for details)

### **Venice Commission to 'rule' on legality of secret detention centres in Europe**

The rapporteur of the PACE Legal Affairs Committee of the Council of Europe,

Chairperson Dick Marty, has released an interim report into alleged secret CIA detention centres, finding that there is "no formal, irrefutable evidence" of their existence.

Mr Marty's report does not shed any light on the alleged CIA secret detention centres in Romania and Poland (not to mention Bulgaria, Macedonia, Kosovo and Ukraine).

However, the Swiss MP usefully summarises criminal investigations and reactions by civil society as regards the practice of "extraordinary renditions" and CIA secret flights in Italy, Germany, Spain, Poland, Romania, UK, Armenia, Belgium, Bosnia and Herzegovina, Cyprus, Denmark, Finland, France, Greece, Ireland, Norway, Switzerland and Sweden.

He also briefly deals with developments in the USA and Canada.

Mr Marty also reveals that The Venice Commission has been asked to provide a formal opinion on the legality of secret detentions and of extraordinary renditions (see Appendix No. 3 to the Report).

A working group of six eminent experts is drafting an opinion for approval at its next plenary session, on 17 and 18 March 2006.

Mr Marty proposes a new committee of inquiry be set up, assisted by experts and provided with more incisive powers of investigation in order to properly fulfil his mandate.

The report can be downloaded at:  
[http://assembly.coe.int/CommitteeDocs/2006/20060124\\_Jdoc032006\\_E.pdf](http://assembly.coe.int/CommitteeDocs/2006/20060124_Jdoc032006_E.pdf)

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– from a report by Suzan Fraser, Associated Press, 23 Feb 06

### **UN official says Turkey needs to do more to protect human rights**

Martin Scheinin, a special UN rapporteur for the protection of human rights in counter-terrorism campaigns, said today Turkey needed to do more to safeguard human rights in its fight against terrorism.

He also called on the government to review the cases of prisoners who say they confessed under torture during the 1990s.

Scheinin said Turkey's legal definition of terrorism was so broad that it was being used to imprison people with no connection to terrorism.

His comments came at the end of a week's fact-finding mission to Turkey, which is under pressure to improve human rights as a prelude to membership of the European Union.

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– from a report by Michael Holden, Reuters, 22 Feb 06

### **UK security gurus say net is closing on bin Laden**

There would be at least one terrorist attack on a European target in 2006 and either Osama bin Laden or his right hand man will be killed or captured this year, a British security company predicted this week.

There would be no civil war in Iraq as insurgents lost the support of the mainstream population, and Iran would back down in its nuclear dispute with the West without sanctions or military action, Aegis Defence Services said.

In its annual terrorism report, Aegis, which assesses global risks for governments and international companies, said the net was closing on the leaders of bin Laden's al Qaeda group.

It called bin Laden a "spent force", whose only role was as a talisman, and predicted he or his deputy, Ayman al-Zawahiri, would be out of circulation in the next 12 months.

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– from an Agence France Presse report, 22 Feb 06

### **Interpol network in Russia to receive \$US3m upgrade**

MOSCOW -- A \$US3m project would expand and upgrade the Interpol information network in Russia in a bid to make combating crime and terrorism more efficient, officials said this week.

The project is due for completion by mid-2008, would see the Russian interior ministry equipped with many more computers to access the Interpol network,

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– Human Rights First email, 28 Feb 06

### **Report says US military condones murder by torture**

Despite the high number of homicides (as many as 45), including between 8 and 12 people tortured to death, only 12 detainee deaths to date have resulted in any kind of punishment for any US official, according to Human Rights First.



“Indeed, often the more serious the case – particularly those involving people tortured to death – the less severe the punishment; the highest sentence in a torture-related death is five months in prison,” the US-based HRF says.

The information is contained in an eye-opening report, titled *Command's Responsibility; Detainee Deaths in U.S. Custody in Iraq and Afghanistan*, just released by HRF.

For a copy of the report:

<http://www.humanrightsfirst.info/pdf/06221-etn-hrf-dic-rep-web.pdf>

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**BOOK REVIEW: By Peter Dowding, Civil Liberties WA**

John Howard and Kim Beazley, Alexander Downer and Kevin Rudd, should all end their summer vacation by reading the 1,300 pages of a newly published book, *The Great War for Civilisation: The Conquest of the Middle East* by Robert Fisk.

Fisk is a journalist who lives in the Middle East (Beirut, Lebanon) and who writes for the London Independent Newspaper.

In this mammoth work, Fisk recounts the events that he has personally witnessed over the last 30 years and puts the conflict in the Middle East into an historical perspective.

As a record of his war correspondent experiences the book is a shocking, exciting and vivid account of the trauma that war and the Middle East conflict generally has caused to the peoples of the area both combatants and non-combatants.

It contains particularly disturbing accounts of the cavalier way in which all sides of the various conflicts have carelessly killed, maimed and indelibly marked innocent civilians in their pursuit of an ideological outcome.

*(see story above: Fisk will lecture in Canberra this month)*

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- from the Parl Library's first 2006 reading list (thanks to the UN Assn of Aust)

**Reading list for our federal MPs**

On a Bill of Rights and human rights the list includes:

**A Victorian charter of human rights and responsibilities.** Centre for Comparative Constitutional Studies, [2006], 4p.

Johns, Fleur E. **Human rights in the High Court of Australia, 1976-2003: the righting of Australian law?** *Federal Law Review*, vol.23, no.2, 2005: 287-331.

On freedom of speech, titles include:

Arcioni, Elisa. **Developments in free speech law in Australia: Coleman and Mulholland.** *Federal Law Review*, vol.23, no.2, 2005: 333-54.

Hassan, S. **Compromising our freedom of speech.** *On Line Opinion*, 5 January 2006: 3p.

Heywood-Smith, Paul. **Government and political matters: "Lange" seven years on.** *Australian Law Journal*, vol.80, no.1, January 2006: 22-39.

Among those on Constitutional Law and allied topics are:

Rose, Dennis. **The High Court decisions in *Al Kateb* and *Al Khafaji*: a different perspective.** *Constitutional Law and Policy Review*, vol.8, no.3, November 2005: 58-64.

Lindsay, Robert. **Migration merits review and rights of appeal in Australia.** *AIAL Forum*, no.46, July 2005: 56-66.

Campbell, Rosie and Joni Lovenduski. **Winning women's votes? The incremental track to equality.** *Parliamentary Affairs*, vol.58, no.3, July 2005: 837-53.

Argument, Stephen. **Providing information to Parliament.** *Shaping administrative law for the next generation: fresh perspectives: papers presented at the 2004 National Administrative Law Forum.* Canberra: Australian Institute of Administrative Law, 2005. 200-16.

Verrier, June. **Access to published or publishable information from Departments of State: the convention in 'Washminster'-style parliaments.** *Australasian Parliamentary Review*, vol.20, no.2, Spring 2005: 144-57.

Mariott, Jane. **Alarmist or relaxed? Election expenditure limits and free speech.** *Public Law*, Winter 2005: 764-84.

Copies of these articles are available in selected public libraries, from the publishers or through your Federal MP or Senator

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**Events and Opportunities:**

**3 March, Sydney: AUSTRALIAN MUSLIMS - NOT RELAXED AND COMFORTABLE** (*Politics in the Pub series, Friday 6pm to 7.45. Gaelic Club, Level 1, 64 Devonshire St., Surry Hills (across from Chalmers St exit and Devonshire St tunnel at Central Station)*)  
Kuranda Seyit, Director of Forum on Australia's Islamic Relations; Sevda Clark,

community woman activist and spokesperson for Australian/Islamic relations.

**9 March, Canberra:** Robert Fisk lecture (see details in story, above)

**10 March, Sydney:** WHY DO WE NEED A BILL OF RIGHTS? (Politics in the Pub series, Friday 6pm to 7.45, see details above): Prof George Williams, Director, Gilbert and Tobin Centre of Public Law, UNSW; James Allan, Garrick Professor of Law, University of Queensland.

**11 March, Sydney:** HUMAN RIGHTS...Negotiable? *What would an Australian Bill of Rights do for you?* Presented by the Port Jackson ALP State Electorate Council at Leichhardt Town Hall 2- 4:30pm Speakers include Victorian Attorney General **Rob Hulls**; **Julian Burnside** QC, *Refugee Rights Advocate, Author*; **Tim Palmer** *Walkley Award Winning Journalist, ABC Jakarta*; **Susan Ryan** *Chair of the New Matilda Human Rights Campaign*. RSVP: Verity Firth on 02 9692 8761 by 1 March.

**10-12 April 2006, Sydney:** Australasian Law Reform Agencies Conference (ALRAC) 10–12 April 2006. Details: <http://www.alrc.gov.au/events/events/alrac/index.html>

**19-22 April, Melbourne:** *Community Development in a 'Global Risk Society'* conference [www.deakin.edu.au/cchr/cd](http://www.deakin.edu.au/cchr/cd) or contact Anne OKeefe, Centre for Citizenship and Human Rights, Deakin U. **03 5227 2113** or email: [anne.okeefe@deakin.edu.au](mailto:anne.okeefe@deakin.edu.au)

**23 April, World:** World Book and Copyright Day [www.unesco.org](http://www.unesco.org)

**1 May, Canberra:** Professor Paul Hunt, the UN Special Rapporteur on the Right to Health and member of the UN Economic, Social and Cultural Rights Committee, will speak at a forum organised by the HR Office in Canberra. Further info TBC.

**3 May, World** World Press Freedom Day [www.unesco.org](http://www.unesco.org)

**10 May, Canberra:** Free HR Office workshop on a general understanding of purpose and operation of the Discrimination and Human Rights Acts and the main differences between them. 9.30am–1.30pm. To book email: [human.rights@act.gov.au](mailto:human.rights@act.gov.au)

**June/July, Melbourne:** Civil Liberties dinner honoring Brian Fitzpatrick, the man credited with initiating public emphasis on

liberty and rights issues, and sowing the seed for CL and HR organisations, in Australia.

**26 June, World:** International Day in Support of Victims of Torture [www.un.org/rights](http://www.un.org/rights)

**10 December, World:** Human Rights Day [www.ohchr.org](http://www.ohchr.org)

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