

~~~~~

## Table of Contents

|                                                                              |    |
|------------------------------------------------------------------------------|----|
| Sedition forum tops the highlights for September .....                       | 1  |
| Media release pace expected to quicken.....                                  | 2  |
| Annual report 'season' call for volunteer readers/analysers.....             | 2  |
| CLA's Oz-wide campaign aims to reflect community unease on Hicks.....        | 2  |
| Hicks between the devil and a nightmare.....                                 | 3  |
| Justice blinkered as to where journalists' shield law is headed.....         | 3  |
| Preventative detention/bail laws indicate tougher stance.....                | 4  |
| CLA director to take part in NSW-Victoria roundtable.....                    | 4  |
| ACT's Human Rights Act – basically, steady as she goes.....                  | 5  |
| Knot could still be tied on Civil Unions laws.....                           | 5  |
| UN Human Rights group finds against Australia on immigration.....            | 5  |
| Australia signs treaty with Thailand on crime.....                           | 5  |
| Ruddock re-lists two groups as terrorist organisations.....                  | 6  |
| ASIO and ONA to get new HQ building in Canberra 'security precinct'.....     | 6  |
| New HR adviser appointed.....                                                | 6  |
| Personal venting space for member...and you can feature on the CLA site..... | 6  |
| Lawyers next for 'demolition' in Zimbabwe?.....                              | 7  |
| UN formally agrees new disability treaty.....                                | 7  |
| Europe's highest law body reviews discrimination case.....                   | 8  |
| Anti-terror critics just don't get it, says Reid.....                        | 8  |
| Ruddock signals Australia may further extend terror clampdowns.....          | 9  |
| EU rejects death penalty debate.....                                         | 9  |
| Website provides the write stuff for tortured/refugees.....                  | 10 |
| Police want power to dispense 'instant justice'.....                         | 10 |
| London police chief says anti-terror laws alienate Muslims.....              | 10 |
| Delhi police raid rooms of human rights activists from South Asia.....       | 11 |
| Iran NGO hobbled by threats.....                                             | 11 |
| Educated elite decry forced closure of website in China.....                 | 11 |
| Indonesian Muslim group opposes sharia by-laws.....                          | 12 |
| UN cautions Bahrain government over counter-terrorism bill.....              | 12 |
| AOL removes research data posted without user consent.....                   | 12 |
| 15 US states expand right to shoot people 'in self-defence'.....             | 13 |
| WHAT'S DOING.....                                                            | 13 |
| CLA's key activities for August 2006:.....                                   | 14 |
| THE LAST WORD: <i>ASIO takes a spell</i> .....                               | 14 |

### **Sedition forum tops the highlights for September**

ANU Law Professor Simon Bronitt and journalist/author and former ABC Media Watch presenter David Marr will be keynote speakers at the CLA forum on Thursday 14 September at the National Library of Australia (NLA).

The CLA-organised forum is a joint venture with the Independent Scholars Association of Australia and the NLA.

It runs from 6pm to 7.30pm – please book with President Dr Kristine Klugman on 02 6288 6137, or <mailto:secretary@claact.org.au>

Other highlights for September include:

- meeting with the federal Shadow Attorney-General, Nicola Roxon;

- preparing for an hour-long talk to the University of the Third Age (U3A) on civil liberties and human rights matters – three members will speak on various sub-topics;
- considering applications for a fourth/final year law student to study and research in the Senate over the Christmas-New Year break;
- further extending the reach of CLA's 10/10 for Life local and international campaign against the death penalty; and
- laying the groundwork for the formation of three new CL groups, including one at Braidwood.

THE LAST WORD: Want to know why ASIO's numbers have trebled over the past five years? Their website holds a clue – and we have decoded the answer. See the end of this bulletin, where all is revealed.

~~~~~

Media release pace expected to quicken

The last three months of the year is the time when the pace quickens in relation to civil liberties issues, as the federal parliament prepares for its long Christmas break by getting active with new and expanded legislation.

Over the next month, we expect to be issuing media releases on:

- Indonesia's execution of the Bali bombers;
- a secondary submission on the proposed new Australian ID/access card; and
- a follow-up to our local councils campaign for fair treatment for David Hicks.

~~~~~

### **Annual report 'season' call for volunteer readers/analysers**

September and October are the peak months for analysing the annual reports of key federal and territory government departments, agencies and institutions.

If you have time to read an annual report and provide a 1-2 page dot-point summary of any civil liberties/human rights concerns arising from the report, then please send an email or phone to volunteer your services.

It takes about 2-3 hours to read a report in full and prepare a summary. If you're familiar with the department or the department's activities, you can probably analyse the report in half the time.

CLA has a one-page template of what to look for, and how to do a dot-point report. Phone President Kris Klugman on 02 6288 6137, or <mailto:secretary@claact.org.au> if you're able to take on one report.

Our annual report campaign this year is being coordinated by member Mary Bennett.

~~~~~[To table of Contents](#)

CLA's Oz-wide campaign aims to reflect community unease on Hicks

Darwin City Council has added its support to a nationwide CLA campaign calling for the release of Australian David Hicks from detention at Guantanamo Bay, ABC Radio Darwin reported on 30 August.

"Civil Liberties Australia and ACT Chief Minister John Stanhope have encouraged Australia's local governments to press the Commonwealth for Hicks's release," the ABC said.

"Last night, Darwin City Council voted to join the lobbying effort when Alderman John Bailey put forward the motion at a council meeting," the ABC reported said.

Details: ***Darwin City Council backs Hicks campaign***: Wednesday, August 30, 2006. 8:28am (AEST) <http://www.abc.net.au/news/newsitems/200608/s1727592.htm>

CLA launched the letter-writing campaign in mid-August. A letter asks local government councils throughout Australia to request the federal government to secure an immediate trial for David Hicks, or repatriation to Australia.

The letters, sent to nearly 50 councils, said:

“There seems to be a general groundswell of opinion that David Hicks, whatever his actions, hasn’t had what most Australians call a ‘fair go’. To try to give national public voice to that general feeling, we are asking Councils throughout Australia to ask the Federal Government to take positive action to resolve the Hicks situation. David Hicks will be 5 years in captivity on 9 December 2006: 10 December each year is World Human Rights Day.”

The CLA letters, co-signed by ACT Chief Minister Jon Stanhope at our invitation, asked the local councils to send a letter to Prime Minister John Howard after passing motions along the following lines:

The XXXXX Council expresses deep regret that an Australian citizen, David Hicks, has been held in detention for nearly five years, without trial or conviction; and

The XXXXX Council requests the Australian Government to take immediate action on one or more alternative approaches to the situation to secure the freeing of David Hicks from detention in Guantanamo Bay and either:

- *a speedy trial, for resolution before the end of 2006; and/or*
- *repatriation to Australia.*

CLA followed up with a letter to the editor of the main news outlet in each city/town to which the council letter was sent; Darwin was the first council to back the campaign.

~~~~~[To table of Contents](#)

### **Hicks between the devil and a nightmare**

An un-remarked aspect of the US Supreme Court ruling in July which gave Guantanamo Bay detainees the protections of the Geneva Convention may prove to be counter-productive to their cause.

The US Supreme Court effectively ruled that the ‘War on Terrorism’ was a ‘real’ war, and that therefore the Geneva Conventions should apply.

Because the Geneva Conventions apply, anyone held as a prisoner of the ‘war on terror’ can be detained for the duration of the ‘war’.

Of course, the ‘war on terror’ is not a real war – you can’t declare a real war on a tactic/ideology; the current impasse can never end the way a ‘real’ war can end.

If the charges against Hicks are withdrawn, the US executive and military authorities could hold him forever because they have defined him as an enemy combatant in what they have defined as a war.

Hicks’ situation is a case of detention by definition.

It is time for the Australian Government to stand up for one of its citizens whose civil liberties and rights are being denied him by a foreign government.

~~~~~

Justice blinkered as to where journalists’ shield law is headed

The Victorian Supreme Court has decided to pursue contempt charges against the Canberra-based journalists Michael Harvey and Gerard McManus of the Melbourne *Herald Sun*.

The case will go ahead even though the Commonwealth and every State/Territory has agreed to pass laws shielding journalists under a form of professional privilege.

The Victorian ruling means McManus and Harvey could be convicted of contempt of court, and go to jail, for refusing to reveal the source of a leaked story about the

Federal Government rejecting a proposed \$500 million boost to war veterans' pensions.

In late August, Supreme Court Justice Elizabeth Hollingworth upheld an original County Court decision to charge the pair. She said that the Media Entertainment and Arts Alliance (MEAA, the journalists and actors union) Code of Ethics had "no legal status" and that journalists had no right to refuse to name sources.

The Australian Law Reform Commission (ALRC) in February 2006 released Uniform Evidence Law findings recommending that the professional confidential relationship privilege for journalists in the NSW Evidence Act should be applied to all jurisdictions.

Even Federal Attorney-General Philip Ruddock said that the case against Harvey and McManus should be dropped on the basis that a shield law protecting journalists would be introduced following the ALRC report.

The Standing Committee of Attorneys-General (SCAG) is expected to approve a uniform framework of shield laws at its December meeting, with the laws passed in all jurisdictions in 2007.

~~~~~[To table of Contents](#)

### **Preventative detention/bail laws indicate tougher stance**

Both NSW and the ACT are moving to toughen the laws and requirements relating to people convicted of crimes who have served their prison time.

NSW Premier Lemmon will change the bail laws as applied to life-long parolees facing a fresh charge. There will be a presumption against bail for such people.

In the ACT, Attorney-General Simon Corbell will soon introduce a bill to deal with preventative detention of hardened, recidivist criminals.

At a meeting with CLA in August, A-G Corbell said the decision on whether or not to keep people in jail or another form of isolation to "protect the community" would be made more on actuarial grounds rather than psychiatric grounds.

CLA acknowledges there is a difficulty of balancing individual right against community rights, but has reserved its position on the proposed legislation, waiting to see the detail.

Rather than the considered and consultative approach being taken by the ACT Government, the NSW Government's proposed new laws are a knee-jerk reaction to one incident involving a man who has been on parole for seven years, and who has been described as a 'model parolee' by the NSW Justice Minister Tony Kelly.

CLA believes there is enormously inherent danger in legislating on the basis of one incident.

~~~~~

CLA director to take part in NSW-Victoria roundtable

CLA Director Vic Adams will join a roundtable meeting on the death penalty in Sydney on 2 September.

The meeting takes the form of a phone hook-up between Sydney and Melbourne.

The roundtable, organized by the NSW Council for Civil Liberties, involves people and groups interested in ensuring there is no future capital punishment in Australia's states and territories.

Members of the group are also working to abolish the death penalty in the Asia-Pacific region.

Their plans mesh neatly with CLA's call for groups worldwide to back the **10/10 for Life** campaign, aiming to introduce a moratorium globally on the death penalty from 10/10/2010 for 10 years.

~~~~~To table of Contents

### **ACT's Human Rights Act – basically, steady as she goes**

The ACT Government has tabled its formal response to the one-year review of the ACT Human Rights Act 2004.

The Act, which became law on 1 July 2004, was formally reviewed after 12 months operation, to see whether it should be amended or added to, particularly with clauses relating to economic, social and cultural rights being added.

However, the government has decided to take no action for the moment, but has given vague hints that it might extend the reach of the HR Act if it (the government) is still in power in 2010-2011.

The planned five-year review will occur after 1 July 2009. This means it will be at least 2010, and probably 2011 or 2012, before any changes to the act could be implemented.

For further information, see the following media release, and the report itself:

[http://www.chiefminister.act.gov.au/media.asp?media=1568&section=52&title=Media Release&id=52](http://www.chiefminister.act.gov.au/media.asp?media=1568&section=52&title=Media+Release&id=52)

[http://www.jcs.act.gov.au/HumanRightsAct/Publications/twelve\\_month\\_review.pdf](http://www.jcs.act.gov.au/HumanRightsAct/Publications/twelve_month_review.pdf)

~~~~~

Knot could still be tied on Civil Unions laws

The ACT's Civil Unions legislation is not dead, ACT Attorney-General Simon Corbell told a CLA delegation last month.

He said he will consider a new scheme, with provisions which might not attract the wrath of the Federal Government, which forced the Governor-General to veto the original ACT Civil Unions law.

The delegation – CLA CEO/Secretary Bill Rowlings and Director Anthony Williamson – discussed a range of issues with the ACT A-G, including preventative detention laws, DNA guidelines and protocols, ACT Policing's use of Tasers/stun guns, anti-terror legislation and whether or not the Public Interest Disclosure Act should apply to ACT Policing.

~~~~~

– from UNity, UN Assn of Australia e-newsletter, 11 August 2006

### **UN Human Rights group finds against Australia on immigration**

The UN Human Rights Committee, in an August decision, has found that Australia's immigration detention regime breaches one of the most fundamental of all human rights obligations – the right to be protected from arbitrary imprisonment

The recent decision in *D & E v Australia* is the fifth time since 1997 that the UN Committee has found against Australia regarding mandatory detention.

The Australian Human Rights and Equal Opportunity Commission (HREOC) has also spent more than a decade saying that Australia's mandatory immigration detention laws and policies must change to comply with Australia's human rights obligations.

~~~~~To table of Contents

Australia signs treaty with Thailand on crime

Australia and Thailand have signed a treaty in criminal matters.

The treaty will enable Australia and Thailand to assist each other in the investigation and prosecution of serious crimes, including terrorism, drug-trafficking, fraud, money-laundering and people trafficking, according to the Attorney-General, Mr Ruddock.

It will also allow law enforcement agencies to exchange intelligence and evidence to investigate and prosecute serious crimes.

Thailand still has the death penalty – authorities shoot people.

We can expect Australians and citizens of Thailand and other countries to be executed as a result of information provided by the Australian Federal Police under the new treaty.

The AFP Commissioner, Mr Kelty, says he is personally against the death penalty: if this is true, he should show leadership to his officers and ensure that the Australian Government's public stance against the death penalty is never inadvertently overturned by AFP intelligence provided to Thailand.

~~~~~

### **Ruddock re-lists two groups as terrorist organisations**

Al Qaeda and Jemaah Islamiyah have both been re-listed as terrorist organisations for a further two years, Attorney-General Mr Ruddock has announced.

Al-Qa'ida (as he spells it) was first listed in October 2002 and again on 1 September 2004; Jemaah Islamiyah was first listed on 27 October 2002 and again on 1 September 2004.

Re-listing means it continues to be an offence to belong to, direct, recruit for, train with or provide training for, and receive funds from or make funds available to, these terrorist organisations, whether in Australia or abroad.

~~~~~[To table of Contents](#)

ASIO and ONA to get new HQ building in Canberra 'security precinct'

ASIO and ONA will get a new 'state of the art intelligence facility' by 2011, according to a media release by Attorney-General Philip Ruddock..

The Australian Security Intelligence Organisation (ASIO) and Office of National Assessments (ONA) will have a purpose-designed building on Commonwealth land between Constitution Avenue and Parkes Way, next to Anzac Park East, in Canberra.

ASIO and ONA will be close to other intelligence, police and security agencies.

The relocation follows the findings of the Taylor review which recommended ASIO grow to 1860 staff by 2010-11, Mr Ruddock said.

~~~~~

### **New HR adviser appointed**

Associate Professor Dr Pene Mathew is the new Human Rights Legal and Policy Adviser in the ACT Human Rights Office.

She joins as the office is facing a cutback of \$400,000 to the budget of the new Human Rights Commission as part of the ACT Government's financial stringency.

The ACT HRO is moving to Level 5, 40 Allara Street, Canberra from October.

~~~~~

Personal venting space for member...and you can feature on the CLA site

CLA member Graham Macafee has his own website where he can vent about anti-liberty and rights-wronging activities.

Here's the URL: <http://www.effect.net.au/gmacafee/rave.html>

Remember, we also feature member's letters on our site. Email them to: <mailto:secretary@claact.org.au> We run most letters received on civil liberties and human rights issues, unless they are particularly political.

We're also always on the lookout for well-written, well-reasoned articles on civil liberties and human rights issues. This month, see the excellent new articles by Allan Hall and Ernst Willheim – go to <http://www.claact.org.au/pages/articles.html>

~~~~~To table of Contents

– from Human Rights First email, 23 August 2006

### **Lawyers next for 'demolition' in Zimbabwe?**

On August 6 and 20, a high-ranking appointee of the Zimbabwean government published articles defaming the Law Society of Zimbabwe (LSZ).

The LSZ is an independent organization created by Zimbabwean statute to regulate the legal profession in that country.

Among other inflammatory accusations, the articles claim LSZ members are attempting to bring colonial rule back to Zimbabwe. The false allegations are directed toward the Society's elected leaders who have been openly critical of the government's human rights violations.

The articles' author – chairman of the Media and Information Commission – was responsible for closing down all independent radio stations, television channels and daily newspapers in Zimbabwe.

Human Rights First says it is concerned that the articles signal an imminent legal threat to the existence and independence of the LSZ itself.

"The legal profession has largely been standing in between the unbridled power of the state and the people of Zimbabwe and offering a safety net to human rights defenders facing persecution. It therefore comes as little surprise that the state is now angling itself for an attack on the independence and self regulation of the legal profession in Zimbabwe," said Arnold Tsunga, secretary of the LSZ, executive director of Zimbabwe Lawyers for Human Rights, and recipient of the international 2006 Martin Ennals Human Rights Award.

~~~~~

UN formally agrees new disability treaty

The UN has agreed formally to a new international treaty giving greater rights and freedoms to 650 million disabled people throughout the world.

The UN Convention on the Rights of Persons with Disabilities was adopted in New York last month.

Chairman of the ad-hoc committee who steered the text through all stages was New Zealand's UN ambassador Don MacKay.

The treaty is due for adoption by the UN General Assembly during its session this month.

Countries which sign up to the treaty will have to enact laws and other measures to improve disability rights and also agree to get rid of legislation, customs and practices that discriminate against disabled people.

Currently only 45 countries have specific legislation that protects disabled people – Australia is one of them.

The BBC provided this at-a-glance overview of the new UN disability treaty:

- Participating countries to change laws and ban discriminatory customs and practices
- Disabled people to have an equal right to life
- Equal rights for disabled women and girls
- Protection for children with disabilities
- A right to own and inherit property, to control financial affairs and have equal access to financial services

- Disabled people not to be deprived of their liberty "unlawfully or arbitrarily"
- Medical or scientific experiments without consent to be banned
- An end to enforced institutionalisation
- Freedom from exploitation, violence and abuse
- A right to privacy and access to medical records
- Countries to remove barriers to accessing the environment, transport, public facilities and communication
- A right to independent living
- Essential equipment to be made affordable
- A right to an adequate standard of living and social protection
- An end to discrimination relating to marriage, family and personal relationships
- Equal access to education
- An end to discrimination in the job market
- A right to equal participation in public life
- A right to participate in cultural life
- Developing countries to be assisted to put the convention into practice

~~~~~To table of Contents

– from the Open Society Justice Initiative website, August 2006

### **Europe's highest law body reviews discrimination case**

The Grand Chamber of the European Court of Human Rights has agreed to review an appeal by 18 Romani (aka gypsy) children forced to attend segregated schools in the Czech Republic.

The decision to accept referral of the Czech case gives the continent's supreme judicial body one last chance to make clear that racial segregation has no place in 21st century Europe.

The case, D.H. and Others v. the Czech Republic, is the first challenge at the European level to the practice of educational discrimination – widespread throughout Central and South East Europe – in which Roma children are routinely placed in schools for the mentally disabled regardless of their actual intellectual abilities.

In February 2006, the Court's Second Section ruled that although the Roma children suffered from a pattern of adverse treatment, they had not proved the Czech government's intent to discriminate.

The agreement to review the case will allow the Grand Chamber to address several major issues concerning the prohibition against discrimination in Article 14 of the European Convention of Human Rights.

Further information on these cases is available at [www.errc.org](http://www.errc.org) and [www.justiceinitiative.org](http://www.justiceinitiative.org).

~~~~~

– from a report in the Guardian by Alan Trais, 10 August 2006

Anti-terror critics just don't get it, says Reid

British Home Secretary John Reid signalled that a new round of anti-terror legislation was on the way – just days before fear was again ramped up with the arrest of British 'liquid bomb' terror suspects.

Traditional civil liberty arguments were made for another age, Mr Reid told a think-tank.

"We may have to modify our own freedoms in the short term to prevent their misuse and abuse by those who oppose our fundamental values and would destroy all of our freedoms in the modern world," he said.

There were people who "just don't get it", whose opposition was undermining the government's fight against terrorism. They included:

- Politicians who opposed the anti-terror measures that police and security services said were necessary to combat the threat.
- European judges who passed a judgment that stopped the British Home Secretary deporting a suspected terrorist back to his own country.
- Media commentators who "apparently give more prominence to the views of Islamist terrorists rather than democratically elected Muslim politicians like premier Maliki of Iraq or President Karzai of Afghanistan".

Mr Reid said that since 2000 almost 1,000 people have been arrested for terror-related offences, with 154 of them charged and 60 suspects now awaiting trial. Four significant terrorist plots had been disrupted.

(Those UK figures for arrests and charges have since risen by about 24 – in relation to an alleged plot to bomb aircraft traveling from the UK to the USA. No-one has yet been convicted for any alleged offence).

"In spite of these successes we remain unable to adapt our institutions and legal orthodoxy as fast as we need to," he said. "This is the area that puts us at risk in national security terms," Mr Reid said.

~~~~~[To table of Contents](#)

### **Ruddock signals Australia may further extend terror clampdowns**

Following the recent London arrests, the Australian Government has signaled it may further ramp up anti-terror legislation and day-to-day restrictions and controls on citizens.

A jingoistic Liberal Party room meeting at Parliament House last month, immediately after the London 'liquid bomb' detentions, was reported by one Liberal MP to be dangerously extreme in its attitudes.

"It made my blood run cold when there were loud cheers and hear-hears for even more repressive police and security laws and actions," the MP said.

The party room meeting was told by Mr Ruddock that the government was considering a further tightening of laws and police/security measures.

~~~~~

– from a BBC online news story

EU rejects death penalty debate

The European Union has summarily dismissed a request by the Polish president to reinstate the death penalty.

"The death penalty is not compatible with European values," European Commission spokesman Steffan de Rynck told reporters.

Polish President Lech Kaczynski asked the EU to review its policy. Abolishing the death penalty is a condition of EU membership.

Most Western European countries abandoned the death penalty in the 1960s while Eastern European states did so in the 1990s. Poland abolished capital punishment in 1997, following a moratorium on executions imposed in 1988.

The League of Polish Families, a nationalist minority party in Poland's governing coalition, has launched a campaign to restore the death penalty.

"We want to collect half-a-million signatures of EU citizens on a petition demanding the death penalty for pedophile murderers," vice-president of the party, Wojciech Wierzejski, is reported as saying in the Polish newspaper Rzeczpospolita.

BBC NEWS: <http://news.bbc.co.uk/go/pr/fr/-/2/hi/europe/5239504.stm>

~~~~~To table of Contents

– from a Mark Oliver report in the The Guardian (UK), 29 August 2006

### **Website provides the write stuff for tortured/refugees**

A UK-based website displays the writing of survivors of torture and asylum seekers from all over the world.

Scores of torture survivors who have taken part in the Write to Life project, a writing therapy group created by the Medical Foundation for the Care of Victims of Torture, a national centre based in suburban north London.

The scheme has been running for seven years. Last month, some of the writers read from their own work for the first time at the Edinburgh International Book Festival.

Through writing, many of the survivors are able to express personal experiences that may be too painful or traumatic to relate directly.

Details: [http://www.torturecare.org.uk/about\\_us/write\\_to\\_life\\_project](http://www.torturecare.org.uk/about_us/write_to_life_project)

~~~~~

– from a report by Alan Travis, The Guardian, 15 August 2006

Police want power to dispense 'instant justice'

British police want radical powers to dispense instant justice, such as excluding yobbos from town centres at night and stopping gang members associating with each other.

Senior officers say the powers would be the "modern equivalent of a clip round the ear from the local bobby".

Ministers are considering extending police summary powers as a crucial part of British Prime Minister Tony Blair's drive to "rebalance" the criminal justice system.

The powers have been proposed by Surrey's Assistant Chief Constable, Mark Rowley, the British Association of Chief Police Officers' spokesman on modernising the way police work. They include:

- power to immediately exclude an offender from the town centre at night;
- giving the neighbourhood constable the right to issue a three-month ban on gangs who cause repeat disorder on housing estates from associating with each other in public;
- power to immediately seize a youth's car – an instant interim driving ban would be imposed pending a court appearance.
- enabling "reasonable suspicion" for stopping and searching young people for knives to be based on previous convictions.

Shami Chakrabarti of Liberty UK said: "This looks like instant police justice and a return to the infamous 'sus' laws (arresting people on suspicion only)."

~~~~~

– from a report in the The Guardian, 7 August 2006, by Riazat Butt and Vikram Dodd

### **London police chief says anti-terror laws alienate Muslims**

The top British Muslim police officer has warned that anti-terrorism laws are discriminating against Muslims and law enforcement agencies are running a 'real risk' of criminalising ethnic minorities.

Tarique Ghaffur, assistant commissioner in the London Metropolitan police, called for 'an independent judicial review' of why some young British Muslims turned to extremism.

More work was needed, he said, to stop the 'flight, fright or separation' of British Muslim communities after the July 2005 London tube and bus bombings.

Mr Ghaffur, speaking at a National Black Police Association conference in Manchester, also told how racism has blighted his own career, according to The Guardian report.

<http://www.guardian.co.uk/terrorism/story/0,,1838844,00.html>

~~~~~To table of Contents

–from e-Civicus, e-newsletter of the World Alliance for Citizen Participation

Delhi police raid rooms of human rights activists from South Asia

Indian authorities raided hotel rooms of leading human rights activists from South Asia in August, including Asma Jehangir the UN Special Rapporteur and chair of the Human Rights Commission of Pakistan, and I.A. Rehman, also of the Human Rights Commission of Pakistan.

Three policemen from Delhi police rummaged through the belongings of the activists. Ms Jehnagir objected to the absence of women police officers who are the only people authorised to search women under the law.

The activists were on a visit to New Delhi to attend a meeting of the South Asians for Human Rights. More information, see <http://www.dawn.com/2006/08/04/top14.htm>

~~~~~

– from FIDH email, 10 August 2006

### **Iran NGO hobbled by threats**

The Iranian Ministry of Interior has declared activities of the Defenders of Human Rights Centre (DHRC) illegal; people continuing its activities would be prosecuted, the declaration said.

The DHRC was co-founded in 2002 by Mrs Shirin Ebadi, Iranian advocate and winner of the Nobel Peace Prize in 2003. It provides legal counsel for dissidents, journalists and students facing prosecution for exercising fundamental freedoms, such as peacefully protesting against or criticising government policies.

Since its creation, it has been repeatedly denied legal registration.

On 16 July 2006, the Revolutionary Court sentenced Mr Abdolfattah Soltani, a DHRC lawyer, to five years prison for disclosing confidential information and opposing the State. He appealed and is still awaiting the decision. Mr Soltani had been detained since 30 July 2005.

[http://www.fidh.org/article.php3?id\\_article=3530](http://www.fidh.org/article.php3?id_article=3530)

~~~~~To table of Contents

– from a Guardian report by Jonathan Watts, 3 August 2006

Educated elite decry forced closure of website in China

More than 100 lawyers, authors and journalists have spoken publicly against the closing of Century China, a liberal website with 30,000 registered members on its discussion board.

The website was set up by a Hong Kong University and a Beijing research institute, and was popular among academics and dissidents.

"We understand very well that government administrative power has the most damaging effect on free speech," said the statement. "This is why we must voice our clear and strong protest."

The 103 signatories included Gao Yu, a former winner of Unesco's world press freedom award jailed for seven years for her writings, the Tibetan author Oser, dissident writer Liu Xiaobo and Li Datong, fired as editor of Freezing Point, a weekly supplement in China Youth Daily, because he allowed articles questioning the government line on history, corruption and political reform.

~~~~~

– from a Jakarta Post report, 29 July 2006

### **Indonesian Muslim group opposes sharia by-laws**

Nahdlatul Ulama (NU), Indonesia's largest Muslim group, has reinforced its opposition to making Indonesia a theocratic state.

Sahal Mahfudz, the head of NU's legal body, said NU should remain committed to secular traditions against a groundswell for making sharia the foundation for legislation.

"We oppose the implementation of sharia because this will only lead to disintegration. Sharia can be implemented without being formalized," Sahal told a national NU conference in Surabaya, East Java.

NU has been particularly vocal opposing the passage of sharia-based bylaws in several parts of Indonesia. NU chairman Hasyim Muzadi said recently that the country risked disintegration from the campaign to turn Indonesia into an Islamic state, according to a Jakarta Post report.

The moves undermine the principles of the state ideology Pancasila (Indonesia's five guiding principles), NU says.

Since the passage of a regional autonomy law in 2000, 22 Indonesian municipalities and regencies have implemented bylaws influenced by sharia law, including stipulations for Koran literacy among schoolchildren, obliging women to wear headscarves in public and heavy punishment for adultery, alcoholism and gambling.

~~~~~

UN cautions Bahrain government over counter-terrorism bill

The rapporteur on human rights for the United Nations has urged Bahrain's Government to amend a new counter-terrorism bill, expressing concern that the law could harm human rights in the country and would be "particularly troubling" as the Kingdom is a member of the newly-constituted UN Human Rights Council.

The bill, titled, *Protecting Society from Terrorists Acts*, is awaiting ratification by the Head of State before becoming law, but the UN's special rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Martin Scheinin, called for the legislative and executive branches to reconsider.

For more information, see

<http://www.axcessnews.com/modules/wfsection/article.php?articleid=10577>

~~~~~To table of Contents

– from a Saul Hansell article in the NY Times, 8 August 2006

### **AOL removes research data posted without user consent**

The American internet company AOL removed a list of the web search inquiries of 658,000 unnamed users from a public web site after complaints that the information was so detailed and personal that it could compromise the users' privacy.

AOL said the publication of the data was a violation of internal policies. "This was a screw-up, and we're angry and upset about it," a statement from the company said. "It was a mistake, and we apologize."

A list of 20 million search inquiries collected over a three-month period was published in July on a new web site meant to endear AOL to academic researchers by providing several sets of data for study.

AOL assigned each of the users a unique number, so the list shows what a person was interested in over many different searches.

~~~~~

– from an article by Adam Liptak, NY Times, 7 August 2006

15 US states expand right to shoot people ‘in self-defence’

In the past year, 15 US states have legislated to expand the right of self-defence: the new laws allow people to use deadly force where previously they might have faced a murder charge.

Supporters call them ‘stand your ground’ laws. Opponents call them ‘shoot first’ laws. The Florida law, a model for the others, gives people the right to use deadly force against intruders entering their homes. They no longer need to prove that they feared for their safety, only that the person they killed had intruded unlawfully and forcefully. The law also extends this principle to vehicles.

In addition, the law does away with an earlier requirement that a person attacked in a public place must retreat if possible.

~~~~~

### **WHAT'S DOING**

**1–2 September, Canberra:** Sawt (voices) of Women – National Conference of Australian Muslim Women, Canberra Islamic Centre, Isabella Drive/Clive-Steele Avenue, Monash. Further information: ph 6125 4522 or email: shakira.hussein@anu.edu.au or go to: <http://voices.org.au>

**2 September, Sydney-Melbourne:** Roundtable on campaigns against the death penalty – phone hook-up organised by NSW Council for Civil Liberties.

**6-8 September, USA:** UN Conference of NGOs: Achieving the Millennium Development Goals, New York. Information, <http://www.unngodpconference.org/>

**7-8 September, Canberra:** ACFID Council and AGM. with Tim Costello (World Vision Australia), Betty Hounslow (The Fred Hollows Foundation) and Robert Glasser (CARE Australia). Info: Melissa Trethowan E: [mtrethowan@acfid.asn.au](mailto:mtrethowan@acfid.asn.au) or Ph 02 6281 9216.

**14 September, Canberra:** 6pm, National Library of Australia.

CLA Forum with ISAA & NLA\*: Sedition: Defending or Subverting Freedom? Keynote speakers: Professor Simon Bronitt (Director National Europe Centre and Professor College of Law, ANU), David Marr (SMH journalist, ex-ABC Media Watch presenter). All invited. \* CLA in conjunction with Independent Scholars Association of Australia and the NLA.

**20 September, Australia:** Nominations close for UN Assn of Australia Media Peace Awards 2006. Details: [office@unaavictoria.org.au](mailto:office@unaavictoria.org.au)

**4 October, World:** World Animal Day. Info: World Society for the Protection of Animals at [www.wspa.org.au](http://www.wspa.org.au)

**22-28 October, Australia:** Refugee Week Info: Annette McKail, Victorian Research and Policy Officer, Refugee Council of Australia, Ph: **03 9416 0044** Fax: **03 9416 1827** e-mail: [coa.vic@bsl.org.au](mailto:coa.vic@bsl.org.au) website [www.refugeecouncil.org.au](http://www.refugeecouncil.org.au)

**26 - 28 October 2006, Zurich and Geneva, Switzerland:** International Security Forum. Further info: <http://www.isn.ethz.ch/conf/securityforum/>

**2-3 November, Sydney:** 4th National Conference on Human Rights and Mental Health, hosted by SAVE Australia, with Rights Australia. Focus on racial and ethnic diversity, human rights and mental health. Info: <mailto:info@rightsaustralia.org.au>

**3-5 November, Sydney:** *New Racisms: New Anti-Racisms* at the University of Sydney.

Submit a title and a 200-word abstract to the convenor [ghassan.hage@arts.usyd.edu.au](mailto:ghassan.hage@arts.usyd.edu.au) **30**

**Nov - 3 Dec 2006, Jordan:** World Congress of NGOs, Dead Sea, Jordan. General Assembly for WANGO Members on last day of the Congress. Detailed information and registration forms: [www.wango.org](http://www.wango.org)

**10 December, World:** Human Rights Day <http://www.ohchr.org/>

**2007:**

**26-30 August, 2007, Melbourne:** Australasian Council of Women and Policing's Fifth Australasian Women and Policing conference, Carlton Crest Hotel, Melbourne. Call for papers deadline is 30 Dec 2006. More info: [acwap@ozemail.com.au](mailto:acwap@ozemail.com.au)

**10/10/10 World:** Target date for the start of the CLA-promoted moratorium on the death penalty – 10/10 for Life.

~~~~~To table of Contents

CLA's key activities for August 2006:

- attended talk on terrorism laws organized by U3A – see CLA website under 'Articles' for the excellent papers by Allan Hall and Ernst Willheim;
- met senior federal parliamentary person;
- CEO/Secretary Bill Rowlings and Director Anthony Williamson met with ACT Attorney-General Simon Corbell;
- met Linda Crebbin, Legal Aid office; Justice Ken Crispin, ACT Supreme Court;
- * Director Vic Adams met Clare Brennan, CLA member and Law Students for Social Justice member, re death penalty;
- met ACT Attorney-General Simon Corbell (see report above);
- appeared before Joint Standing Committee on Electoral Matters and Civics Education; and
- member Keith McEwan met with Dr Nerelle Peroch, who is doing research into the needs of Aboriginal prisoners in the ACT.

~~~~~

**THE LAST WORD: ASIO takes a spell**

Spelling of 'Organisation' (taken directly from the ASIO website, 16 August 2006)

*Readers will note that 'Organisation', when referring to ASIO, is sometimes spelt using a 'z' in place of the 's' in these (ASIO's) publications. The spelling was changed to use an 's' as part of a package of legislation passed by Parliament in late 1999.*

CLA comments that now we know why they need three times the staff (numbering about 1800) in 2007-8 as in 1999...they have employed 1000 spell-checkerz.

Australians can all sleep much safer in our beds knowing that ASIO has the 'Zs' under control.

PS: If you think we've made this up, go to:

<http://www.asio.gov.au/Publications/comp.htm>

~~~~~

ENDS #### ENDS #### ENDS ####

CLArion welcomes contributions. Please send any items by email. See top of document for email address. Include your name and contact details and details of where the story came from so we can credit the original source, if it is not you.

Please feel free to disseminate any material from CLArion widely. Please credit CLArion and/or the original source.