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Muslim liaison will feature strongly in October

With Ramadan covering most of October, CLA will step up liaison with the Muslim community during the month-long fasting festival.

CLA people will attend Canberra Islamic Centre break-fasts at Monash on 7 and 21 October, and the open day of Abu Bakr Canberra Mosque at Yarralumla on 14 October.

CLA members are welcome to join the visiting groups – please contact President Kris Klugman for details: president@claact.org.au or phone 02 6288 6137.

Other highlights of the month will include:

- addressing the University of the Third Age (U3A) on *Civil Liberties in an Age of Terrorism* on 10 October – the talk will include listing the many upcoming assaults on traditional Australian liberties and rights;
- celebrating the annual anti-death penalty commemoration on the same day, and promoting our own **10/10 for Life** global campaign for a 10-year moratorium on the death penalty from 2010;
- meeting with Canberra barristers Jennifer Saunders and John Purnell to discuss and try to forecast possible legal developments nationally and in the ACT during 2007;
- holding an inaugural meeting to test interest in the forming of a Braidwood branch of CLA, possibly concentrating on censorship issues;
- lodging a submission to the Australian Parliament's Joint Standing Committee on Treaties on a mutual assistance compact with China on criminal matters; and
- hosting a social barbecue for half the membership to discuss emerging civil liberties issues.

We also expect to be active with media releases on Indonesia's execution of the Bali bombers; a possible follow-up submission on the proposed new Australian ID/access card; and a follow-up to our local councils campaign to write to the Prime Minister, Mr Howard, asking for fair treatment for David Hicks.

THE LAST WORD: *Like to talk to Osama Bin Laden?* Here's his phone number...at least, his old one. But be careful, you don't know who might answer, or who might be listening. *Details at end of this newsletter*

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Sedition forum – CLA receives praise and thanks

We have received many messages of thanks for staging the sedition forum at the National Library of Australia (NLA) on 14 September.

Almost 300 people attended the event, held in conjunction with the Independent Scholars Association of Australia and with support from the NLA.

Anyone interested in reading the paper presented by ANU Law Professor Simon Bronitt, Director of the ANU National Europe Centre, can find it at:

<http://www.claact.org.au/>

There's also a link to a subsequent article in the *Sydney Morning Herald* by author, former Media Watch presenter and *SMH* journalist, David Marr, the other keynote speaker at the CLA sedition forum.

Along with the thanks, in each case there was praise for the 'quality' of the event.

Lobby MPS over sedition laws, says CLA member Dr Helen Wiles

Dr Helen Wiles has written an article for the CLA website urging members – and visitors to the site – to write to Members of Parliament urging them to reform Australia's sedition laws.

MPs should support the amendments to the sedition laws proposed by the Australian Law Reform Commission's report No 104, Fighting Words, Dr Wiles says.

She urges CLA members and site visitors to write to, phone and email MPs.

Go to 'Headlines' on the Home Page at: <http://www.claact.org.au/>

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Work begins on DNA and health data and privacy linkages

We have begun a research program to try to identify all government initiatives to do with personal data and personal health data holdings.

In 2005-6, the Australian Government launched waves of new laws threatening traditional Australian rights, including laws dealing with habeas corpus (detention and control orders), telephone and email intercepts, financial transactions and sedition.

In 2006-7, the government seems to be proposing a raft of new laws and systems threatening traditional civil liberties in areas relating to personal information: identity cards, health data and DNA recording and testing.

Do you know of any areas we should follow up, other than these?

- the ID card: a formal consultation process is under way; CLA has made a submission, and may make a second submission (because of the following information, revealed after our ID card submission was lodged);
- compulsory DNA testing and sample retention for all Australian Federal Police employees, including pre-employment DNA testing for new recruits – this is a major change to employment practice in Australia, but all advice so far is verbal;
- routine testing for a range of diseases at birth of all Australian babies, and the retention of their blood information on 'Guthrie cards', which are retained on file between two years and forever, depending on where you live in Australia; and
- a government proposal to establish a "whole-of-life immunization register", which will include a notifiable diseases register.

No notifiable diseases register currently exists.

The national immunization register is restricted to children aged to seven years. The proposal to extend it foreshadows a likely future for the 'Guthrie card' regime which holds DNA information on virtually all Australian new-borns.

It is entirely possible – and probably highly likely, given the new government push for a whole of life immunization register – that the Guthrie card DNA register will become a "whole of life DNA register" in future.

CLA Director briefs video roundtable on death penalty

CLA Director Vic Adams represented CLA at an anti-capital punishment roundtable in Sydney on 2 September.

The roundtable was conducted by video link with Victoria, with all major civil liberties and human rights groups being represented. Victorian numbers were down as Don Chipp's funeral was held in Melbourne on the same day.

The roundtable was briefed on the federal parliamentary cross-party working group against the death penalty. The brief highlighted advances in getting across-the-

board acceptance for the UN Second Optional Protocol (2OP) adopted into federal and state law.

The federal Attorney-General's office has received formal legal advice that Australia's obligations under 2OP do not extend beyond our borders; however, Australia has a moral responsibility to show a lead in our region, CLA believes.

Amnesty International Australia announced it would launch the Anti-Death Penalty Asia Network (ADPAN) on 10 October. The Law Institute of Victoria circulated a draft paper on the 'use of the death penalty' for comment.

NSWCCL tabled a reply from Federal Justice Minister Ellison on questions raised about the Australian-USA Air Marshal Memorandum Of Understanding. It basically left unresolved the possible fate of people arrested by air marshals on the way from Australia to the USA if a passenger is charged with an offence en route for which the death penalty may be imposed.

Mr Adams briefed the roundtable on the *International Cities for Life* initiative, where cities sign on to exclude the death penalty from their city. To date the only Australian city to have done so is Canberra. More information is on the Community of Sant'Egidio website, <http://www.santegidio.org/en/>

He also briefed them on CLA's **10/10 for Life** initiative and the contact we had already had with over 125 organisations throughout the world about it.

– from a report by Director Vic Adams

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– from various sources, late Sept 06

Organs harvested from executed prisoners, sold for private profit

The sale of organs taken from executed prisoners appears to be thriving in China, an undercover investigation by the BBC has found.

The BBC report said organs from death row inmates were sold to foreigners who needed transplants.

One hospital said it could provide a liver for £50,000 (\$94,400), with the chief surgeon confirming an executed prisoner could be the donor.

China's health ministry did not deny the practice, but said it was reviewing the system and regulations.

– from an ABC Radio report, supplied by Mary Landers

Terrorism researchers fear reprisals under new laws

ANU professor Dr Greg Fealy has warned the Federal Government's new anti-terrorism laws could chill research on terrorism.

Awarded an \$800,000 Government grant to study suicide bombers, Dr Fealy believes he is not able to interview groups such as Hezbollah because the laws don't permit him to 'associate with terrorists'.

He is calling for clear boundaries so researchers can continue to do their work.

The Federal Attorney-General, Mr Philip Ruddock, says the new legislation is not aimed at academics.

<file:///http://www.abc.net.au/news/newsitems/200609/s1738516.htm>

– from a Mark Mazetti report in the New York Times, 24 Sept 06

US spy agencies say Iraq ups terror threat: Bush, Howard remain in denial

The global terrorist threat is greater because of the war in Iraq, a major new US intelligence report has found.

The report, refuting the repeated claims of Australian Prime Minister John Howard and US President George W. Bush that the Iraq war has not increased the threat of terrorist activity, is a considered, consensus document of 16 American intelligence agencies.

“The American invasion and occupation of Iraq has helped spawn a new generation of Islamic radicalism and the overall terrorist threat has grown since the 11 September 2001 attacks,” the *New York Times* reports.

The report is entitled *Trends in Global Terrorism: Implications for the United States*. It says that Islamic radicalism, rather than being in retreat, has changed shape and spread throughout the world.

An opening section of the report, *Indicators of the Spread of the Global Jihadist Movement*, cites the Iraq war as a reason for the diffusion of jihad ideology, according to Mark Mazetti’s report.

He quotes an American intelligence officer as saying: “The Iraq war has made the overall terrorism problem worse.”

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ACT A-G cuts Human Rights Commission to save money

The Attorney General Simon Corbell has announced a search is under way to find people for two positions in the new Human Rights Commission, which operates from 1 November 2006.

“We will be looking for someone (as) Health Services Commissioner and for someone (as) joint Children-Young People Commissioner and Disability-Community Services Commissioner,” Mr Corbell said.

The Government will introduce amendments to the *Human Rights Commission Act 2005* in the ACT Legislative Assembly this month to cut the costs of the Human Rights Commission by cutting members.

HREOC seeks input on same-sex issues

The Human Rights and Equal Opportunity Commission (HREOC) will hold a public consultation in Canberra on Thursday 19 October.

People can provide personal stories and comments on issues such as:

- workplace leave entitlements;
- social security benefits and pensions;
- tax concessions;
- Medicare and the Pharmaceutical Benefits Scheme;
- superannuation entitlements;
- workers’ compensation;
- veterans’ pensions and entitlements;
- parliamentary entitlements;
- State-based laws – inheritance, property division etc.

The forum will be held at the Hotel Kurrajong, National Circuit, Barton, 6.15pm for 6.30pm start, ending at 8.30pm.

Acceptances by email to samesex@humanrights.gov.au or phone Samantha Edmonds, HREOC on 02 9284 9661 by 17 October 2006.

Inquiry information: <http://www.humanrights.gov.au/samesex/>

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Tasmania considers a Charter of Rights.

The government has charged the Tasmanian Law Reform Institute (TLRI) with 'investigating how human rights are currently protected in Tasmania and whether the protection of human rights can be enhanced in any way'.

"The Government is particularly interested to learn whether Tasmania should have a Charter of Rights and if so, what model would best suit the needs of Tasmanians and what rights it should contain," the TLRI media release says.

TLRI has released an issues paper "to stimulate thinking and discussion about the protection of human rights in Tasmania and to encourage as many Tasmanians as possible to participate in the consultation".

A Human Rights Community Consultation Committee (HRCCC) will help with the consultation process.

The chair is a senior lecturer in Law at the University of Tasmania, Terese Henning. Others on the committee are Mat Rowell, chief executive officer, Tasmanian Council of Social Services; Jamie Cox, former captain of Tasmanian Tigers cricket team; Lisa Hutton, deputy secretary, Department of Justice; Julian Eades of Advocacy Tasmania; and Alan Stevenson, a former managing director, C6 quadriplegic and disability advisor to the project.

Responses to the Issues Paper are requested by 30 November 2006. For further information, Terese Henning 03 6226 2079.

TLRI website: <http://www.law.utas.edu.au/reform/>

Article: <http://acthra.anu.edu.au/media/By rights a surer guardian - Tas 25-9-06.pdf>

September highlights: Sedition forum tops the bill

CLA's open, public forum on Sedition was the major highlight for September, with almost 300 people filling the National Library of Australia's main theatre (see story above).

Other highlights for September include:

- meeting with Shadow Attorney-General Nicola Roxon, involving President Kris Klugman and Director Vic Adams, on a range of issues, including sedition legislation;
- interviews on 2XX community radio with Susan Carew, Tim McCann and Katherine Purnell about the sedition forum and other civil liberties issues;
- exploring ways, with international law Professor Don Rothwell of ANU, that David Hicks might face trial or be released;
- meeting with Roger Clarke, guru of data protection, privacy and security in Australia;
- discussions with Ikebal Patel and Asmi Wood of the Muslim community;
- planning meeting with Mary Lander of Whistleblowers Australia;
- attending public consultation on extension of the Australian immunization register to 'whole-of-life' (currently it stops at 7 years of age); and
- submitting a detailed paper, prepared by Director Anthony Williamson, on racial vilification legislation - go to: <http://www.claact.org.au/pages/subs.html>

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– from UNity, UN Assn of Australia e-newsletter, 22 Sept 06

Search for new secretary-general

Ashraf Ghani, 57, the former Afghan finance minister, is expected to be a late candidate to succeed Kofi Annan as UN secretary-general, according to the *Financial Times*. Kabul-born Mr Ghani returned to Afghanistan in 2001 after an absence of 24 years following a long career at the World Bank as a UN special adviser.

Latvian President Vaira Vike-Freiberga has been identified as another candidate. Born in Riga in 1937, she has lived in exile most of her life. After growing up in refugee camps in Germany, she went to a French school in the French protectorate of Morocco and studied in Canada, where she became a professor of psychology in 1965.

Prince Zeid al Hussein, Jordan's ambassador to the UN, has been officially nominated. The first Muslim candidate, he is a cousin of King Abdullah II.

Fiji is reported as nominating Sri Lankan ambassador-at-large Niranjan Deva-Aditya (also known as Nirj Deva), a dual UK citizen, a conservative MP and representative of Britain in the EU parliament.

Other candidates include India's Shashi Tharoor, South Korea's Ban Ki Moon, Sri Lanka's Jayantha Dhanapala and Thailand's Surakiart Sathirathai. The Security Council's deliberations continue over the next few weeks.

from Sant'Egidio website, 14 September 2006

Muslims appeal to Indonesia to lift death penalty on three Catholics

Muslim representatives appealed to the President of the Indonesian Republic in favour of Fabianus Tibo, Domingus Da Silva, Marinus Riwu – three Catholics condemned to death in Indonesia but whose execution was suspended in August after intervention by Pope Benedict XVI.

The Muslim leaders are the Iranian Ayatollah Muhammad Ali Tashiri, Judge Dr El Halabi Abbas, Dr Mohammad Sammak, political counsellor of the Grand Mufti of Lebanon, and Dr Saoud El Maolua, also Lebanese and from Shamseddine Foundation for Dialogue.

However, the appeals were in vain: Indonesian executioners shot the three last month.

– from an article in the SMH, 12 September 2006

HREOC head says control orders could breach human rights

Control orders could amount to a deprivation of liberty, the head of HREOC warned last month.

Human Rights and Equal Opportunities Commission president John von Doussa said there should be safeguards to ensure control orders were necessary, and proportionate to the level of threat.

“Control orders are extraordinary powers for extraordinary times,” Mr von Doussa said at James Cook University in Townsville, according to a report in the *SMH*.

“The severity of obligations imposed by a control order can range from prohibition or restriction on the person visiting a particular place to wearing a tracking device, to preventing a person from using or accessing certain forms of communication technology, to a requirement that a person remain at specified premises at specified times during the day.

“Depending on the days and time specified, the order could constitute house arrest. This could amount to deprivation of liberty...”

'Deprivation of liberty' would breach Australian human rights obligations.

Mr Jack Thomas, 33, of Melbourne in late August became the first Australian to be controlled under a control order. The order was imposed within days of Mr Thomas being released from terrorism-related convictions by the Victorian Court of Appeal.

<http://www.smh.com.au/news/National/Rights-watchdog-wary-of-control-orders/2006/09/12/1157826941771.html>

– article supplied by Mary Landers

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– from UNity, newsletter of the UN Assn of Australia

Greens' Brown succeeds in Geneva Conventions motion

Federal Greens Leader Bob Brown's motion, passed without dissent in the Senate on Thursday 7 September, was: 'That the Senate supports the Geneva Convention and opposes the failure to implement the convention regardless of by whom or where they may be breached.'

After the motion was passed, Senator Brown called for Prime Minister Howard to immediately insist that the Geneva Conventions be applied to Guantanamo Bay detainees, including Australian citizen David Hicks.

Senator Brown said Hicks had been deprived of the protection of the conventions for the past five years.

For more information, Ebony Bennett 0409 164 603.

Annual migration tide sweeps the world

In the September issue of *UN Connections*, the World Federation of United Nations Associations newsletter reported on the extent of the distress worldwide caused by vast numbers of people forced to migrate.

Of 191 million international migrants in 2005, almost 50 per cent were women, 60 per cent lived in developed countries, irregular (often referred to as illegal) migrants numbered 30 to 40 million and an estimated 600,000 to 800,000 of these were victims of human trafficking every year.

Women migrants sent home \$232 billion

Women made up about 85 million international migrants worldwide and were responsible for the largest amount of remittances in 2005, the UN Population Fund reported last month.

Women migrants sent home a total of \$232 billion in 2005, of which \$167 billion went to developing countries. Remittances and foreign direct investments were the main sources of economic development in many developing countries.

The figures were published in an annual report, *A Passage to Hope: Women and International Migration*.

– from Human Rights First (HRF) email, 15 September 2006

Lawyers threatened with charges for doing their jobs in Indonesia

Defence lawyers in Indonesia's Papua province are being threatened with criminal defamation charges, based solely on statements made in court in defence of their clients, according to Human Rights First.

The team has also been subjected to anonymous threats, and several of their clients have been beaten by police while in custody.

The trial followed protests in the town of Abepura on 15 and 16 March this year. Police efforts to disperse the crowd led to a violent confrontation and four policemen and a member of the air force were killed.

Dozens of suspects were rounded up and 16 were charged, tried, and sentenced to up to 15 years in prison.

“Even under the authoritarian government of President Soeharto it was rare for lawyers to be prosecuted for statements made in defence of their clients; such charges violate Indonesian law and international human rights standards,” HRF said.

.....

– from New York Times editorial, 22 Sept 06:

On new military tribunals bill:

“It’s time for (the Democrats) to either try to fix this bill or delay it until after the election. The American people expect their leaders to clean up this mess without endangering US troops, eviscerating American standards of justice, or further harming the nation’s severely damaged reputation.”

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– from an article by Jonathan Watts in The Guardian, 13 Sept 2006

China cracks down on civil liberties

China is coming under increasing international criticism for a widespread crackdown on lawyers, journalists, NGOs and civil liberties activists.

The situation was described as “the most repressive phase since Chinese prime minister Wen Jiabao and president Hu Jintao came to power in 2003”, by *The Guardian*, reporting Chinese sources.

Human rights groups reportedly said China had jailed, beaten or placed under house arrest at least 100 dissidents in Beijing between between mid-August and mid-September.

China has also imposed new media restrictions and begun investigating charity organisations and environment campaigners who receive foreign funding.

The government is reportedly concerned that demonstrations could lead to another ‘colour revolution’ of the sort seen in several former Soviet republics last year.

<http://www.guardian.co.uk/china/story/0,,1871089,00.html>

.....

– from an article by Liz Davies, The Guardian, 13 Sept 2006

Child index is a major risk in itself, writer says

Britain’s new child index system will put more children at risk by keeping the very information abusers look for online, according to Liz Davies, writing in *The Guardian*.

She calls for stopping the new ‘child index’ in its tracks, taking the \$600m being invested in the 12 pilot areas and diverting it to frontline services ‘where it belongs’.

“The index will merge children’s databases on health, education, police records, youth justice and social services into a vast source of information, available to a wide range of agencies working with young people. It may eventually be merged with a national identity register for the entire population.” Davies writes.

One tragic case was the justification for the database, which was introduced almost unnoticed within the Children Act 2004, on the grounds that it would increase communication about children’s needs and improve access to family support services.

There are clear signs emerging in Australia that health and personal information databases here may be linked in future, in keeping with an emerging worldwide trend.

<http://society.guardian.co.uk/children/comment/0,,1871441,00.html>

– from Andrew Meldrum in Johannesburg, in *The Guardian* (UK) 18 Sept 06

Trade union leaders arrested, tortured in Zimbabwe

Zimbabwean trade union leaders were arrested and tortured in police custody last month.

Human rights groups warned of an increase in “rampant” violent abuse inflicted by government agents on critics of President Robert Mugabe’s regime.

“Torture in Zimbabwe is both widespread and systematic, demanding both a national and an international response,” the Human Rights Forum, a coalition of 17 Zimbabwean groups, said.

More than 100 leaders of the Zimbabwe Congress of Trade Unions (ZCTU) were arrested on 13 September as they were about to launch marches to protest at the country’s deepening economic crisis, according to *The Guardian* report.

The ZCTU secretary-general, Wellington Chibebe, was beaten unconscious and suffered head injuries and fractures to his arm and fingers. Speaking from his Harare hospital bed, his head bandaged and his arm in a cast, Mr Chibebe described how the union leaders were taken in pairs to cells where police beat them with bars and batons, Andrew Meldrum reported.

About 30 labour activists also hobbled into court two days later after being beaten. Lovemore Matombo, the ZCTU president, and Lucia Matibenga, the vice-president, suffered broken arms. All were released on bail.

The Mugabe government is reported to be worried about a popular revolt, after a warning issued by the Central Intelligence Organisation, which said that unrest was growing as a result of the economic crisis. Inflation is running at 1,200 per cent (1,200 is correct).

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– from UNity, UN Assn of Australia e-newsletter, 15 Sept 06

Pakistan rape reform fails

Women’s rights in Pakistan were set back considerably last month when the ruling party in Islamabad caved in to religious conservatives and dropped a plan to reform rape laws, according to a report in *The Independent* on 12 September.

Under the Hudood ordinances, based on sharia law, a female rape victim must produce four male witnesses to corroborate her account, or she risks facing a new charge of adultery.

The ruling party in Islamabad, made up of a coalition of groups allied to President Pervez Musharraf, had hoped a new Protection of Women Bill would place the crime of rape within the country’s secular penal code, which works in tandem with sharia.

But the government decided rape would remain a crime punished by Islamic law after conservatives in an opposition group, Muttahida Majlis-I-Amal (MMA), threatened to walk out of parliament in protest if the government pushed ahead with reforms.

According to a 2002 report by the Human Rights Commission of Pakistan, a woman is raped every two hours and gang raped every eight hours throughout the country.

_ from a report by Randeep Ramesh, New Delhi, in *The Guardian* (UK), 18 Sept 06

India's literary elite call for anti-gay law to be scrapped

Leading Indian literature, film and academic personalities have come out against a "colonial-era" law which makes homosexuality criminal.

In an open letter, more than 100 influential signatories, including the Nobel laureate economist Amartya Sen, the Booker prizewinner Arundhati Roy, and author Vikram Seth, said the law had been used to "systematically persecute, blackmail, arrest and terrorise sexual minorities" and had spawned intolerance.

They argued that section 377 of the Indian penal code perpetuated Victorian-era antipathy and bigotry towards gay people. "This is why we ... support the overturning of [the law that criminalises] romantic love and private, consensual acts between adults of the same sex," they said.

The legislation, which came into effect during British rule in India, bans "carnal intercourse against the order of nature with any man, woman or animal".

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– from a report by Ian Austen in the NY Times, 19 Sept 06

Canadian reports blames US and Canada for torture case

A Canadian Government commission has exonerated a Canadian computer engineer of any ties to terrorism and issued a scathing report that faulted Canada and the US for his deportation four years ago to Syria, where he was imprisoned and tortured.

The report on the engineer, Maher Arar, said American officials had apparently acted on inaccurate information from Canadian investigators and then misled Canadian authorities about transporting him to Syria.

"I am able to say categorically that there is no evidence to indicate that Mr Arar has committed any offense or that his activities constituted a threat to the security of Canada," Justice Dennis R. O'Connor, head of the commission, said at a news conference, according to the NY Times report.

"The Syrian-born Mr Arar was seized on Sept. 26, 2002, after he landed at Kennedy Airport in New York on his way home from a holiday in Tunisia. On Oct. 8, he was flown to Jordan in an American government plane and taken overland to Syria, where he says he was held for 10 months in a tiny cell and beaten repeatedly with a metal cable. He was freed in October 2003, after Syrian officials concluded that he had no connection to terrorism and returned him to Canada," the NY Times reported.

– from a Sheryl Gay Stolberg report in the NY Times, September 19, 2006

President Bush wants freer rein for CIA to use 'alternative' interrogation

In discussing a new Bill to bring terrorism suspects to trial, President Bush has repeatedly called for clarity in the rules for what he calls "alternative interrogation techniques" used by the Central Intelligence Agency (CIA).

What Mr Bush really wants, legal experts on both sides of the debate say, is latitude so the interrogators can use methods that the military is barred from using under a recently issued Army field manual, according to a report in the NY Times.

"Despite his call for clarity, the president has been vague in talking about the alternatives, which have in the past included sleep deprivation, playing ear-splittingly loud music and waterboarding, which induces a feeling of drowning," the report said.

Bush tells terrorists what for: it's the new Battle of the Agendas

– dot points at 40 paces (*coming soon to a screen near you*)

The US President, Mr George Bush Junior, last month released the latest version of America's strategy against terrorism.

"He continues to refer to a 'War on Terror' – which means that victory is impossible, because you can't defeat wisps of smoke with machine-guns and tanks," CLA President Dr Kristine Klugman said.

"Terrorism will decline only when its root causes are ameliorated. This new Bush-ido blueprint for hairy-chested warrior-cons is about 180 degrees in the wrong direction.

"The world's only hope is for a new US President in two years time with common sense," she said.

The new, 23-page, Bush blueprint says in part (see below for full URL reference):

"From the beginning, we understood that the War on Terror involved more than simply finding and bringing to justice those who had planned and executed the terrorist attacks on September 11, 2001.

"Our strategy involved destroying the larger al-Qaida network and also confronting the radical ideology that inspired others to join or support the terrorist movement.

"Since 9/11, we have made substantial progress in degrading the al-Qaida network, killing or capturing key lieutenants, eliminating safehavens, and disrupting existing lines of support.

"Through the freedom agenda, we also have promoted the best long-term answer to al-Qaida's agenda: the freedom and dignity that comes when human liberty is protected by effective democratic institutions.

"In response to our efforts, the terrorists have adjusted, and so we must continue to refine our strategy to meet the evolving threat. Today, we face a global terrorist movement and must confront the radical ideology that justifies the use of violence against innocents in the name of religion.

"As laid out in this strategy, to win the War on Terror, we will:

- * Advance effective democracies as the long-term antidote to the ideology of terrorism;

- * Prevent attacks by terrorist networks;

- * Deny terrorists the support and sanctuary of rogue states;

- * Deny terrorists control of any nation they would use as a base and launching pad for terror; and

- * Lay the foundations and build the institutions and structures we need to carry the fight forward against terror and help ensure our ultimate success."

Dr Klugman said that, unfortunately, the five dot points above could be used to justify any bombing of any country, any invasion, any secret rendition flights, any torture, ...in fact, anything in the name of the US Government's self-defined, self-declared, self-interest.

"The rhetoric is a recipe for greater global turmoil and more terrorism in the years ahead, if the past five years are an indication.

"This is an emperor without clothes riding backwards on a horse cantering towards a cliff of calamity," Dr Klugman said.

<http://www.whitehouse.gov/nsc/nsct/2006/index.html>

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from UNity, e-newsletter of the UN Assn of Australia, 31 August 2006

'War on terror' spawns enforced disappearances

New disappearances related to the 'war on terror' are emerging in South Asia, adding to the hundreds of missing people in countries such as Nepal and Sri Lanka, Amnesty International (AI) said on the International Day of the Disappeared.

AI is lobbying for the the 61st session of the UN General Assembly this year to adopt the draft International Convention for the Protection of All Persons from Enforced Disappearance by consensus and without amendment.

It believes there are several hundred victims of enforced disappearances in Pakistan in the context of the 'war on terror'.

Many are held in Guantanamo Bay, but others are believed to be still held in Pakistani detention, with their precise whereabouts unknown.

A total of 245 people have gone missing in Sri Lanka, and in Nepal a government committee announced in July that it was investigating more than 600 outstanding cases of enforced disappearance – local activists say more than 1,000 are unaccounted for.

In the Indian state of Jammu and Kashmir, an estimated 8,000-10,000 enforced disappearances have been reported since 1989.

For an Amnesty International fact sheet about enforced disappearances:

<http://amnesty-news.c.topica.com/maae644absXGKbfE1obb/>

– from UNity, UN Assn of Australia 3-newsletter, 22 Sept 06

Terrorism to continue while Muslims 'oppressed' – Musharraf

Terrorism and extremism would continue to attract alienated Muslims until "the foreign occupation and suppression of Muslim peoples" were ended, Pakistan's President Pervez Musharraf has told the UN General Assembly.

Military interventions and old conflicts had spawned a deep sense of desperation and injustice across the Muslim world.

"Each new battleground involving an Islamic state has served as a new breeding ground for extremists and terrorists," he said.

"Indiscriminate bombings, civilian casualties, torture, human rights abuses, racial slurs and discrimination only add to the challenge of defeating terrorism."

He called for a two-pronged strategy of "enlightened moderation" so that terrorism is tackled head on while at the same time the international community strived to resolve conflicts in the Islamic world.

For more information: <http://www.un.org/ga/61/news/news.asp?NewsID=19893>

Peace 'taking root' in ME

At the same forum, US President George W. Bush said he believed peace was taking root in the Middle East.

Among other developments, he cited the democratic government in Iraq, recent presidential elections in Algeria and the political enfranchisement of women in Kuwait.

Addressing the Lebanese people, he said: "We see your suffering, and the world is helping you to rebuild your country, and helping you deal with the armed extremists who are undermining your democracy by acting as a state within a state."

The US desired peace, (but) "Extremists in your midst spread propaganda claiming that the West is engaged in a war against Islam," he said. "This propaganda is false and its purpose is to confuse you and justify acts of terror."

“We respect Islam, but we will protect our people from those who pervert Islam to sow death and destruction. Our goal is to help you build a more tolerant and hopeful society that honours people of all faiths and promotes the peace.”

For more information, <http://www.un.org/ga/61/news/news.asp?NewsID=19897>

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– from a FIDH (Fedn of Intntl Hum Rts Defenders) email, 1 September 2006

Inter-American Court on Human Rights condemns Brazil

On 17 August, the Inter-American Court on Human Rights condemned Brazil for the death of Damião Ximenes Lopes on 4 October 1999 in the Clínica de Repouso Guararapes, a psychiatric clinic, in Sobral, in Ceará State.

The ruling is the first Inter-American Court decision on Brazil, and the first Court pronouncement on a human rights violation related to people with mental disabilities.

Damião Ximenes Lopes, who was suffering from a psychiatric disorder, was placed in the care of the Clínica de Repouso Guararapes by his mother in October 1999.

Three days later he died after being subjected to ill-treatment and violent attacks by clinic personnel.

http://www.fidh.org/article.php3?id_article=3580

– from a report by Stephanie Strom in the NY Times, 26 Sept 06

ACLU supporters call for its leaders to go

More than 30 supporters of the American Civil Liberties Union are calling for the organization’s leadership to go, claiming it does not follow its own avowed principles and therefore is risking becoming ineffective.

Donors, former board and staff members, and lawyers have united against the executive.

“We come together now, reluctantly but resolutely, not to injure the ACLU but to restore its integrity and its consistency of principle,” the group said in a mission statement posted on its web site, <http://www.savetheaclu.org/>

The statement does not name individual officials that the group wants to see removed, but in the past criticism has been focused on Anthony D. Romero, the executive director, and Nadine Strossen, the board president, as well as members of the executive committee, the *NY Times* reported.

– from Human Rights First email, 27 Sept 06

Iranian activist appears to suffer torture

Mousavi Khoini, an Iranian human rights activist and former Member of Parliament, showed signs of torture while attending a mourning ceremony for his father recently.

Since arrest on 12 June at a rally in support of women’s rights, Mr Mousavi has been jailed in Tehran’s notorious Evin prison.

He reports being interrogated for at least five hours daily while officers try to force him to sign a false confession.

He looked to have suffered serious bruises and be carrying a month-old head injury at the mourning ceremony.

– from a report by Fernanda Santos, NY Times, 21 Sept 06

DNA evidence frees man wrongly imprisoned for 16 years

Jeffrey Mark Deskovic spent 16 years in a US maximum-security prison, doing time for a crime he did not commit.

For years, he fought exhaustive legal battles and wrote dozens of pleading letters that led him nowhere.

In 1990, Mr Deskovic was convicted of raping, beating and strangling a high school classmate in a jealous fit of rage. DNA evidence presented at his trial showed that semen in the victim's body was not his, but the police testified that he had confessed.

Among the people who Mr Deskovic said refused to review his case is Jeanine Pirro, the former local district attorney, who took office after his trial; she is now the Republican nominee for state attorney general.

Ms Pirro's successor, Janet DiFiore, agreed to run the evidence through a national DNA databank after she was approached in June by Barry Scheck, a director of the Innocence Project, which works to free people wrongly convicted.

The decision to release Mr Deskovic came after the DNA matched that of a man who is serving time for another local murder. Ms DiFiore said the man had recently confessed to killing Angela Correa, 15, the girl Mr Deskovic was convicted of killing, on 15 November 1989.

Mr Deskovic was the 184th person in America to be exonerated because of DNA evidence since 1989, an average of about 11 people a year.

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Burma activist wins human rights award

Burma's Su Su Nway, who challenged the use of forced labour and won a historic court decision in 2005 against the ruling military junta, has been awarded the Rights & Democracy's 2006 John Humphrey Freedom Award.

Su Su Nway, 34, decided to see the junta's representatives in her village brought to justice for forcing her and neighbours to repair a road without pay.

Her determination paid off last year when a judge sentenced the village Chairman and a deputy to eight months in prison under an untested law passed in 1999 that bans compulsory labour.

The verdict was the first ever against the military regime's long-standing practice of forced labour. More information, see <http://www.dd-rd.ca/site/media/index.php?lang=en&subsection=news&id=1860>

– from Human Rights First email, 21 Sept 06

Six new suspects – police – in missing Thai lawyer case

There are 10 new witnesses and six new suspects – all police officers – in the case of missing Thai lawyer Somchai Neelaphaijit.

The case was resurrected after a human rights team met with representatives of the Foreign Affairs Ministry, Royal Thai Police and the Department of Special Investigations of the Ministry of Justice.

Singer freed, but new music is barred

Dadakhon Khasanov, a popular Uzbek singer-songwriter known for his political lyrics, received a three-year suspended sentence on 8 September 2006, for his song about the May 2005 Andizhan massacre.

He will remain out of jail provided he does not write any other politically-motivated songs. He was forced to relinquish his home and car.

Cuban women and Indonesian widow to receive rights medal

Damas de Blanco ('Ladies in White') from Cuba and Suciwati from Indonesia will receive the annual HRF award in 2006.

The Damas de Blanco are the wives and relatives of the 75 human rights activists and journalists sentenced to long prison terms in the spring of 2003, during a crackdown on civil society. The women have since become peaceful advocates for the release of their family members and for human rights in Cuba.

Suciwati, the wife of murdered (poisoned on a plane) Indonesian human rights defender Munir, has fought for accountability for her husband's murder and has continued his work, encouraging victims of human rights violations to call for justice on their own behalf.

<http://www.humanrightsfirst.org/>

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WHAT'S DOING?

4 October , World: World Animal (civil liberties) Day. Info: World Society for the Protection of Animals at www.wspa.org.au

October 6, Melbourne: Dr Shaista Shameem, Director, Fiji Human Rights Commission, on Human Rights Challenges in the South Pacific, 1-2pm, Supper Room, Melbourne Town Hall. RSVP (03) 9905 3327 or castan.centre@law.monash.edu.au OR <http://www.law.monash.edu.au/castancentre/events/shameem-lecture.html>

10 October, Australia and World: Promotion locally and internationally of the **CLA**-instigated campaign to begin a worldwide moratorium on the death penalty from 10 October 2010 for 10 years.

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 website 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

4 – 5 November, Adelaide: Law Foundation's Geoffrey Nice QC, a senior prosecuting counsel in the Slobodan Milosevic trial, speaks. More information Petra Ball **(08) 8100 4695** and email pball@redcross.org.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

2-4 December 2006, Jordan: Civil society conference and Future Forum. <http://www.petra.gov.jo/nepras/2006/Aug/26/5000.htm>

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

2007:

31 March – 1 April, Canberra: Refugee conference, Manning Clark House, with Julian Burnside

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

2010:

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

THE LAST WORD: Dial 00 for Osama

(Osama) Bin Laden is surrounded by two or three concentric circles of security with a small corps of battle-hardened men at its centre. He has not used his satphone – the old number was 00873 682505331 – in years and communicates only through handwritten notes carried by trusted couriers.

– from a Declan Walsh article, *The Guardian*, 11 Sept 06. For full story of OSB, go to:
<http://www.guardian.co.uk/september11/story/0,,1869516,00.html>

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