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Meetings with Ministers top the bill in November

CLA will meet formally with the ACT Chief Minister and Attorney-General this month, as part of its regular round of two-way issue briefings on civil liberties and human rights.

Other highlights of the upcoming month include:

- developing a new approach to the essence of Australia’s rights and liberties, in conjunction with other key groups;

- formal appearance before the ACT Legislative Assembly Legal Affairs Committee, on the issue of strict liability legislation;
- a second address to the University of the Third Age (U3W) on *Civil Liberties in an Age of Terrorism*, this time in the north of Canberra, at Belconnen;
- CEO-Secretary Bill Rowlings will be a speaker at a death penalty forum at the ANU which is looking particularly at issues in relation to Indonesia and China;
- joining the City of Canberra on 30 November for its annual lighting of buildings to promote the worldwide campaign against the death penalty;
- hosting a second social barbecue for members to discuss emerging civil liberties issues; and
- holding a board meeting to plan activities for calendar 2007.

...plus

THE LAST WORD: A new twist on a party for the people

How much should you spend celebrating a share of responsibility for the deaths of somewhere between 50-100,000 innocent men, women and children? The USA has put a price on its Iraq victory party, now scheduled for 2007. See story at end of this bulletin.

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CLA to meet with main ‘liberties’ Ministers

The question of the appropriateness of using Radio Frequency Identification (RFID) tags on prisoners will be discussed at meetings this month with the ACT Chief Minister, Mr Stanhope, and Attorney-General, Mr Corbell.

The issue will come up in discussions about the new jail for the ACT, due for completion in 2008.

Also on the agenda will be issues such as DNA database holdings in the ACT, the rights of homeowners to decide they will stay to fight a fire rather than being forcibly evacuated by police, and the amount and type of information that police give to the media on major crimes.

CLA will also question why the statute of limitations gives only six months to take action against police in the ACT, but three-to-six years against other authorities.

Looking forward to 2007, CLA will be exploring ways of working with the ACT Government on initiatives such as civil agreements for same-sex couples, campaigns to secure justice for Guantanamo Bay detainee David Hicks, and ways to ensure whistleblowers are encouraged in the ACT Public Service.

ACT’s new Human Rights Commission starts today

The new ACT Human Rights Commission starts to operate from today (1 Nov 06).

The new-style statutory authority saves money by amalgamating the Community and Health Services Complaints Commissioner and the Human Rights Office.

The Human Rights Commission has specialist Commissioners to deal with complaints about discrimination, health services, disability services, services for older people, and services for children and young people.

The Commission will also develop greater awareness in government and the community of human rights, according to ACT Attorney-General Simon Corbell.

CLA's revamped website is up and running

Webmaster Lance Williamson has completed the CLA website re-development. If you haven't done so, please have a look at <http://www.claact.org.au/>

It's easier for members and visitors to keep informed and involved in CLA activities. The site now has:

- Improved design (cleaner navigation links, find items more quickly and easily).
- Improved searching (search results in context: quickly decide relevancy; accessible on every page).
- Renew your membership – or invite new members to join – on line.
- An events calendar with showing what CLA is planning (and has completed). Visit regularly to stay up-to-date.
- A separate, 30-day mini calendar on every page shows instantly what's coming up soon.
- Scrolling headlines update new and interesting material.
- There's a mini-poll to gain members' and public views on topical issues (try the current poll on David Hicks).

As well, members or new members can now pay directly to CLA's bank account, as can people choosing to make a donation. We have avoided using PayPal, as its rules don't meet CLA standards on ID and data protection.

Please remember, feedback is welcome. Visit regularly and often at <http://www.claact.org.au/>

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– from a report by Ian Austen in NY Times, 25 Oct 06

Court throws out Canada's 'terrorism' definition

An Ontario judge ruled last month that the definition of 'terrorism' in Canada's anti-terrorism laws was unconstitutional.

Justice Douglas Rutherford of the Ontario Superior Court decided that the laws, introduced after the 11 September 2001 attacks in the USA, improperly defined terrorism as a crime committed with religious, ideological or political motives.

That definition, he said, is "an essential element that is not only novel in Canadian law, but the impact of which constitutes an infringement of certain fundamental freedoms," including "those of religion, thought, belief, opinion, expression and association."

The constitutional challenge to the laws was brought by the first person to be charged under them, Mohammed Momin Khawaja, a 27-year-old Canadian-born software developer who was charged in connection with a bomb plot.

Mr Khawaja remains in jail because Justice Rutherford struck down only the specific definition of terrorism, without nullifying the law itself.

Earlier in the month, another judge in the same court struck down portions of Canadian secrecy laws included in the anti-terrorism legislation that had been used to raid the home and office of a reporter for *The Ottawa Citizen* newspaper.

– from a report by Richard Norton-Taylor in The Guardian, 26 Oct 06

CIA tries to silence EU on torture flights

The CIA offered a body bribe to Germany if it would help to silence EU protests about the human rights record of one of America's key allies in its secret torture flights program.

According to a secret intelligence report, the CIA offered to let Germany have access to one of its citizens, an al-Qaida suspect being held in a Moroccan cell, the Guardian reported last month.

US secret agents demanded, in return, that Berlin cooperate and "avert pressure from EU" over human rights abuses in Morocco, described as a "valuable partner in the fight against terrorism".

Classified documents prepared for the German parliament in February show that Berlin did get access to the detained suspect, arrested in Morocco in 2002 as an alleged organiser of the 11 September strikes. He was flown from Morocco to Syria on another kidnapping flight, which the Americans call 'rendition'.

The disclosure is among fresh revelations about how the CIA flew terrorist suspects to locations where they were tortured, and Britain's knowledge of the practice known as "secret rendition".

They are contained in *Ghost Plane*, a book by Stephen Grey, the journalist who first revealed details of secret CIA flights in the Guardian a year ago. (St. Martin's Press, 384 pages, \$US25.95, hardcover, pub: 10/2006, ISBN: 0-312-36023-1).

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- from an article by Winnie Chong in the HK Standard, 27 Oct 06

Authorities blue as details of 20,000 police complainants leak

The Hong Kong privacy commissioner has held the HK police watchdog responsible for leaking the particulars of 20,000 people who had complained against the police.

Privacy Commissioner for Personal Data Roderick Woo Bun said the Independent Police Complaints Council had breached the Personal Data Ordinance and had failed to take measures to safeguard the data.

In March the names, addresses, Hong Kong identity card numbers and/or criminal records of 20,000 people who had filed complaints against the police were made available on the internet.

http://www.thestandard.com.hk/news_detail.asp?pp_cat=11&art_id=30377&sid=10574900&con_type=1

Human Rights Day 2006

Human Rights Day 2006, 10 December, will focus on fighting poverty as a matter of obligation, not of charity, according to a UN body.

Poverty is both a product and a cause of human rights abuses, yet it is rarely seen as a question of human rights, reports the World Federation of United Nations Association (WFUNA).

For more information, <http://www.ohchr.org> and <http://www.un.org/> and <http://www.ohchr.org/english/issues/poverty/index.htm>

– from NY Times and AAP reports, 17 Oct 06

President Bush gets expanded powers, 'torture' rights

President Bush last month signed into law new rules for interrogating and prosecuting terror suspects.

The new law allegedly protects detainees from blatant abuses during questioning – such as rape, torture and "cruel and inhuman" treatment – but does not allow them to have legal counsel.

It also bars detainees from filing habeas corpus petitions challenging their detentions in US federal courts.

The bill also eliminates some rights common in military and civilian courts. For example, military commissions can consider hearsay evidence so long as a judge determines it is reliable. Hearsay is barred from civilian courts.

The legislation also allows the President to "interpret the meaning and application" of international standards for prisoner treatment...which means he can authorize "aggressive interrogation" that might otherwise be seen as illegal by international courts.

Most people call it torture.

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– from a report by Marian Wilkinson, SMH 7 Oct 06

Chief Justice speaks out against torture

Chief Justice of the High Court Murray Gleeson last month spoke publicly against the use of torture, forced confessions and detention without trial.

In a speech to the annual Judicial Conference in Canberra on 6 October, Justice Gleeson noted that torture was "never lawful in Australia" and was abolished in Britain in 1640 after Guy Fawkes was forced to sign a confession under torture in the Tower of London, Marian Wilkinson reported.

Justice Gleeson quoted from the international convention against torture, saying it required states not only to prohibit torture but to "suppress and discourage the practice of torture and not to condone it".

<http://www.smh.com.au/text/articles/2006/10/06/1159641533690.html>

Reporting in *The Australian*, Legal Affairs Editor Chris Merritt said Justice Gleeson had issued a rallying call to the judiciary to hold the line in the war on terror by defending the rule of law – even if it meant frustrating governments and angering people.

Judges had a responsibility to ensure counter-terrorism measures were kept within the limits of the law.

<http://www.theaustralian.news.com.au/story/0,20867,20539102-2702,00.html>

– from media release

Amnesty launches anti-DP campaign

Amnesty International has launched a campaign against the death penalty in the Asia-Pacific region, supporting CLA's **10/10 for Life** call for a 10-year moratorium on the death penalty from 10/10/2010.

Amnesty, saying the Asia Pacific had bucked the worldwide trend to abolish the death penalty, is working with ADPAN (Anti-Death Penalty Asia Network) to urge Asia-Pacific countries to abolish the death penalty.

The reinforcing campaign was launched on the fourth World Day Against the Death Penalty on 10 October, which adopted the theme, *'The Death Penalty: A Failure of Justice'*, by calling for a world without executions.

The day was organised by the French-based World Coalition Against the Death Penalty.

<http://amnesty-news.c.topica.com/maafeSAabtTGlfE1obb/>

For CLA's campaign info: <http://www.claact.org.au/>

CLA Director Vic Adams is helping Amnesty with its campaign, and also acting a link between Amnesty, CLA and other civil liberties and human rights groups.

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– from Australian Privacy Foundation email, 13 Oct 06

Banking records get a SWIFT kick – straight to USA

Australians' banking records are at risk because a third party is passing our records to the US Government, Australian Privacy Foundation (APF) chair, Anna Johnston, warned last month.

" SWIFT, the Belgian organisation that processes international funds transfers for Australian banks, has been giving banking records to the US Administration for years", she said.

The APF has asked the Australian Privacy Commissioner to investigate the role of Australian banks in this matter.

SWIFT processes international transfers of funds for banks around the world. According to SWIFT's 2005 Annual Report, 11 banks and 88 other institutions in Australia sent more than 3 million messages over the SWIFTNet FIN service last year. Details: <http://www.privacy.org.au/>

– from reports by Ary Hermawan, Jakarta Post, and Jane Perlez, NY Times, 8 Oct 06

Indonesia acquits convicted murderer of activist Munir

Indonesian pilot Pollycarpus has had his conviction for murdering human rights activist and lawyer, Munir, quashed on appeal.

Pollycarpus was convicted for the 7 September 2004 murder - by arsenic poisoning on a plane – of Munir, and sentenced to 14 years in jail.

Last month, the Indonesian Supreme Court overturned the murder conviction and sentenced the pilot to two years for falsifying a document that allowed him to travel on the same aircraft as the murdered man.

Munir, 38, died from an arsenic overdose on Indonesia's national airline, Garuda, while flying from Jakarta to Amsterdam.

Pollycarpus, a Garuda pilot, was a business class passenger for the first leg of the flight, from Jakarta to Singapore. He arranged an upgrade for Munir and they sat in the same cabin for 90 minutes.

An autopsy found that Munir, who died when the plane was over Europe, had swallowed three times more arsenic than his body could tolerate.

Evidence showed that more than two dozen calls had been made from Pollycarpus's mobile phone before and after the death of Munir to the phone of Major General Muchdi Purwoprajoyo, a deputy director of the State Intelligence Agency, BIN.

Lt. Gen. Hendropriyono, who led BIN at the time of the murder, refused to answer a summons to appear before a fact-finding commission established to investigate the murder.

Since the latest verdict, rights groups have increased calls for subsequent investigations to focus on the alleged role of BIN officers in Munir's murder.

When earlier convicting Pollycarpus, the Jakarta District Court concluded he "did not act alone".

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– from various sources

'Sheep' tags to herd flocks of people through airport crush

Airport security chiefs, efficiency geeks and security services in Hungary will keep close tabs on airport passengers by tagging them with a high powered radio chip developed at the University of Central London (UCL).

The technology is being trialed in Debrecen Airport, Hungary.

Dr Paul Brennan, of UCL's antennas and radar group, said the new radio frequency identification (RFID) tag was far in advance of those used now to label supermarket produce.

People will be told to wear radio tags round their necks when they get to the airport. The tag will notify a computer system of their identity and whereabouts, and track their activities in the airport using high-definition cameras.

"[The tags] have got a long range, of 10m to 20m," said Brennan, "and the system has been designed so the tag can be located to within a metre, and it can locate thousands of tags in one area at a given time."

RFID tags can normally only transmit their presence to readers a few centimetres away.

http://www.theregister.co.uk/2006/10/12/airport_rfid/

– from Manifesto Club email, 19 Oct 06

Brits plan to make bad parent soccer coaching a crime

The British Parliament is being asked to pass a Bill which will make it a crime for a father to coach his son's football team without first going through a criminal records check.

The Safeguarding Vulnerable Groups Bill is an attempt to deal with the issue of paedophilia, and is similar to the disgraced and useless NSW registration system introduced some years ago.

"This law will hamper the good work of millions of decent adults – and do nothing to protect children," the UK's Manifesto Club ginger group said in an email calling for signatures opposing the proposals.

– from SMH newsblog by Matthew Moore, 6 Oct 06

Canadians shows Oz the way to freedom

"Australia narrowly beat Canada by enacting a Freedom of Information law in 1982, a year before the Canadian parliament passed its Access to Information Act," Matthew Moore wrote on an SMH Freedom of Information blog.

"Although similar, there was a notable difference; Canada created an office of the Information Commissioner, a kind of ombudsman who spends his days pushing governments to release the sort of information so often withheld here in Australia.

"Former MP John Reid has had the job for eight years and is about to step down.

"In Mexico recently he gave a speech summarising what it takes to make freedom of information work the way it was intended. With a couple of decades of experience in the area, his thoughts give some understanding of why the Australian FoI law is so maligned and what needs to happen if it is to deliver results," Moore wrote.

http://blogs.smh.com.au/newsblog/archives/freedom_of_information/006621.html

For The Reid speech: <http://www.infocom.gc.ca/speeches/speechview-e.asp?intspeechId=140>

– from a report by Andrew Fraser, Canberra Times, 4 Oct 06

Opposition Leader Beazley commits to PS transparency

The federal Opposition Leader, Mr Kim Beazley, promised to restore transparency in the public service, according to his Don Dunstan Oration on Public Administration.

He said that PS had been twisted to the political will of the current government.

"Mr Beazley committed Labor to a merit-based, apolitical and non-discriminatory public service with secure, comprehensive, service-wide standards and classifications," according to Andrew Fraser's report in the Canberra Times.

Mr Beazley proposed a new code of conduct that "clearly establishes the action to be taken when conflicts of interest arise".

Ministers leaving Parliament would have to wait a year to work in their portfolio area and an independent auditor would annually examine all MPs' spending.

"Labor will make ministerial advisers accountable to Government, the Parliament and the public," Mr Beazley promised, in a reference to the policy that applied during the controversial Senate inquiry into the children-overboard affair.

– contributed by Mary Lander

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– from Human Rights First email, 27 Oct 06

Tunisian faces charges for speaking out about 'police state'

Renowned Tunisian human rights leader, Dr Moncef Marzouki, returned to his country from exile on 21 October but immediately faced a criminal investigation for "inciting the population to break the law", with a summons to appear before a judge.

Marzouki had appeared on Al-Jazeera TV on 14 October where he objected to the "ruthless grip of an ever-worsening police state" that has ruled Tunisia for years. Al-Jazeera, broadcast by satellite from Qatar, is popular in all parts of the Arab world.

He called on Tunisians to engage in peaceful civil resistance to demand long-denied basic rights and freedoms. It is these remarks that form the basis of the charges against him.

The Tunisian government also closed its embassy in Qatar and withdrew its diplomats from Doha as a mark of its displeasure with the Al-Jazeera broadcast.

– from Civicus email, 21 Oct 06

Civil society in danger: 77 NGOs suspended in Russia

A total of 77 foreign non-governmental organisations (NGOs) operating in Russia have been forced to suspend their activities, after the government rejected their registration applications, Civicus reported last month. More information:

http://www.civicus.org/csw/RUSSIA_Alert_20.10.06.htm

– from UNity, UN Assn of Australia e-newsletter, 6 Oct 06

Zimbabwe's disaster forgotten as world focuses elsewhere

Zimbabwe was being buried under a humanitarian crisis of massive proportions but the world was looking elsewhere, an opposition parliamentarian commented, according to a report by newsagency Reuters.

David Coltart, a white member of Zimbabwe's divided Movement for Democratic Change (MDC) party, said people were dying in droves due to a combination of very high numbers of AIDS cases, inflation running at 1,200 per cent and widespread malnutrition.

"We estimate that 3,500 people a week are dying due to the convergence of these three factors," he said. "Average life expectancy of a woman has dropped to just 34 years. The cemeteries are filled to overflowing."

– from a Sarah Lyall report in New York Times, 12 Oct 06, plus reports in the Guardian and the Canberra Times

High Court in Britain loosens strict libel rules

Britain's Law Lords ruled last month for the first time that journalists have the right to publish allegations about public figures, as long as their reporting is responsible and in the public interest.

The ruling, a unanimous judgment, is a huge shift in British law on libel.

The decision, in the case of Jameel v. Wall Street Journal Europe, should considerably free journalists and newspapers to tackle stories where authorities try to hide information, or information is considered secret.

The case concerned an article published on 6 February 2002, in *The Wall Street Journal* and in its European edition, *The Wall Street Journal Europe*, which circulates in Britain.

The article said that at the request of the USA, Saudi Arabia was monitoring bank accounts of prominent Saudi businesses and individuals to trace whether they were being used, possibly unwittingly, to siphon money to terrorist groups.

A business mentioned, Abdul Latif Jameel Company Ltd., sued the newspaper, as did Muhammed Abdul Latif Jameel, its general manager and president.

Under British libel law, newspapers must prove the truth of allegations they print (opposite of the situation in the USA, where the burden of proof falls heavily on plaintiffs).

A member of the judicial panel, Lord Scott of Foscote, defended the right of news organizations to publish material deemed private by the government.

"It is no part of the duty of the press to cooperate with any government, let alone foreign governments, whether friendly or not, in order to keep from the public information of public interest the disclosure of which cannot be said to be damaging to national interests," he wrote.

Another panel member, Baroness Hale of Richmond, wrote, "We need more such serious journalism in this country, and our defamation law should encourage rather than discourage it."

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– from a report by Hugh Muir, in The Guardian (UK), 5 Oct 06

New DNA technique in UK may boost criminal convictions

Police in the UK may be able to reopen unsolved criminal cases with introduction of a new DNA testing technique, called DNABoost.

The new test lets forensic scientists separate mixed or poor quality samples of DNA.

The system is particularly effective in cases where more than one person has touched a surface, The Guardian reported.

The new technique may increase detection rates by 15 per cent and could lead to scientists identifying 40 per cent more samples than at present.

<http://www.guardian.co.uk/science/story/0,,1887850,00.html>

Background: The UK's police national DNA database now holds profiles on 3.5 million people. It has quadrupled cases in which DNA is used, providing about 3,000 matches to suspects every month.

In September 2006, a rapist from the 1980s was jailed after being tracked down though his sister's DNA when she was arrested on suspicion of drink driving.

However, David Wilson, a professor of criminology at UCE Birmingham, says the community should question what forensic science is, and look more closely at how

and when scientific principles come to be applied within the criminal justice and legal systems, to try to understand what it can, or cannot, do.

He wants police and DNA testing boosters to claim less for what forensic science can do, and be more open about what it can and cannot deliver.

http://blogs.guardian.co.uk/news/archives/2006/10/05/dna_test_advance_sees_forensic_science_march_on.html

– from a report by David Hencke, The Guardian, 12 Oct 06

Offenders guilty of 1,000 serious crimes

More than 1,000 serious crimes have been committed by offenders released early from jail on electronic tags monitored by private companies, the British Home Office has disclosed.

There has been one murder, four manslaughters, 56 woundings and more than 700 assaults over the six years since home detention curfew was introduced in 1999.

There were also 100 cases of possessing an offensive weapon, one incident of causing death by reckless driving, 100 of obstructing a police officer and 16 other violent attacks.

– from a FIDH email, Oct 06

UN Security Council should act against Burma, HR groups say

Human rights organizations have called on the Burmese regime, the military junta known as the State Peace and Development Council (SPDC), to restore democracy, engage in peaceful national reconciliation, release political prisoners and put an end to human rights violations.

Over the past 18 years, the military junta has detained 1156 political prisoners, including 392 representatives of the democratically elected National League for Democracy (NLD).

Recently, the SPDC has further increased political repression and on 27 September 2006, arrested the three most prominent student leaders of Burma, Min Ko Naing, Ko Ko Gyi and Htay Kywe, who had already served over 15 years in prison, being released in 2004 and 2005.

The Burma military junta remains in power by force despite more than 28 resolutions adopted by the UN General Assembly and the Commission on Human Rights calling for national reconciliation and democratization in Burma.

Australia provides security training to Burmese soldiers and police.

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– from Editorial, NY Times, 9 Oct 06

Protecting a freedom to insult - what the NY Times say

New laws in Iraq criminalise speech that ridicules the government or its officials, and any journalist who “publicly insults” the government or public officials can go to prison for seven years.

Some of the new media laws language is resurrected verbatim from Saddam Hussein’s own penal code.

In the last year, about a dozen Iraqi journalists have been formally accused of offending public officials — a charge that can bring a fine or prison term or both. A high school teacher was arrested after he wrote in a small paper that the two party leaders in his area were acting like pharaohs.

Three journalists for a small newspaper in the southern city of Kut could go to prison for 10 years and pay heavy fines for a number of articles on local corruption. One article compared Iraq's present judicial system with that of the Hussein regime; another reprinted *Washington Post* charges of corruption in the Iraqi police force.

After suffering under grinding repression, Iraqi journalists began enjoying more freedom to report after Saddam Hussein was ousted.

Now the country is moving backward with efforts to shut down television offices and jail journalists who criticize public officials.

– from FIDH email, 4 Oct 06

Baha'i face increasing persecution in Iran, report says

More than 120 people of the Bahá'í faith have been arrested without charge, interrogated, detained for periods ranging from a few days to several months, and only released after having paid bail, according to a report by international human rights organisations.

The International Federation for Human Rights (FIDH) says bail demands have been very high, requiring people to hand over large sums of money, deeds to property or business licences, even though they have not been charged with any crime.

No trial dates have been set, keeping them in a state of insecurity, as they can be imprisoned again at any time.

The UN's Special Rapporteur on freedom of religion or belief said earlier in 2006 that she was highly concerned about a governmental initiative to identify and monitor the activities of Bahá'ís throughout the country.

http://www.fidh.org/article.php3?id_article=3684

– from an interview by Mary Riddell in *The Observer* (UK), 8 Oct 06

Lord Chief Justice pillories prisons, warns on torture

England's top judge, Lord Phillips of Worth Matravers, the Lord Chief Justice, has pilloried the prison system, and given politicians a serious warning to not interfere with legal rules on torture.

The Lord Chief Justice, who is responsible for giving the views of the judiciary in England and Wales to the government, says jails are often used as little more than 'social dustbins' to house people with problems, according to an exclusive report in *The Observer* newspaper.

Is the Human Rights Act safe from ministers, he was asked? "I don't think it likely anyone will try to mess around with the Human Rights Act. It's an important and successful part of the legal structure."

Does the Lord Chief Justice see any scope for rebalancing the torture prohibition and overriding considerations of national security?

"So far as torture is concerned, there is no scope for balancing. There is an absolute prohibition on torture and on evidence that may have been obtained by torture.

"That absolute is essential if we are going to fight terrorism, because the battle is ideological. You have to stand by human rights because that is the ideology in which we believe. If we abandon that we abandon a crucial weapon."

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Report on economic, social and cultural rights in Britain

'*Unequal Britain: the Human Rights Route to Social Justice*' is the latest work of Professor Stuart Weir, director of the UK's Democratic Audit, in collaboration with researchers from the University of Essex's Human Rights Centre.

The work reports on the status of economic, social and cultural rights in Britain, and argues for introducing them into the UK through a Bill of Rights. For more information, see www2.essex.ac.uk/human_rights_centre/research/projects/da.shtm

From a report by David Barboza, NY Times, 13 Oct 06

China prepares law to empower unions and end labor abuse

China is planning a new law to crack down on sweatshops and protect workers' rights by giving labor unions real power for the first time since it introduced market forces in the 1980s.

The law – the result of the government's growing concern about the widening income gap and threats of social unrest – could go into effect as early as next May.

But it may spark a battle with American and other foreign corporations that have lobbied against it by hinting that they may build fewer factories here.

The law would apply to all companies in China, but its emphasis would be on foreign-owned companies and suppliers to those companies.

– from a Sandra Haurant and agencies story, The Guardian, 16 Oct 06

Rubbish bins offer opportunities for identity theft

Nearly half the households in the UK throw away all the information a criminal needs to steal someone's identity, according to a survey published in The Guardian..

A search of rubbish bins in one south London street revealed 97% of households regularly throw away paper carrying their name and address.

In 48% of cases, households had thrown away all the information needed for identity theft. One third had binned their full credit or debit card number and 46% had thrown away an item containing their full bank account details, the report said.

The results were published to mark the beginning of National Identity Fraud Prevention Week.

<http://money.guardian.co.uk/scamsandfraud/story/0,,1923610,00.html>

– from a CNET news story, 18 Oct 06

Battle looms in 2007 over email/web data mining

FBI Director Robert Mueller last month called on Internet service providers to record their customers' online activities, presaging a major debate over privacy in the USA next year.

"Terrorists coordinate their plans cloaked in the anonymity of the Internet, as do violent sexual predators prowling chat rooms," Mueller said in a speech at the International Association of Chiefs of Police conference in Boston.

"All too often, we find that before we can catch these offenders, Internet service providers have unwittingly deleted the very records that would help us identify these offenders and protect future victims," Mueller said.

"We must find a balance between the legitimate need for privacy and law enforcement's clear need for access."

Yes, says CLA, but it is 'straw villain' arguments like this one of Mueller's that weakens the cases for the FBI and other US and Australian police and security agencies.

The Mueller argument is a cyclical nonsense – how does he know there are 'offenders' if he hasn't been able to find evidence? Simply, he is guessing, and he wants to troll and data mine to snoop on all internet traffic.

Note also the 'violent' adjective to go with 'sexual predators': Mr Mueller tweaks his conversation with excess spin.

The speech to the law enforcement group echoes other calls from Bush administration officials to force private firms to record information about customers. Attorney General Alberto Gonzales, for instance, told Congress in September that "this is a national problem that requires federal legislation."

US Justice Department officials admit privately that data retention legislation is so controversial there wasn't time to ease it through the US Congress before politicians left to campaign for their November 2006 re-election. Instead, the idea is expected to surface in early 2007 – a Democratic politician has already promised legislation.

There are already adequate rules for data retention, US internet service providers say. Cases fail, they say, because security agencies are too slow to request detailed information. In other worlds, Mr Mueller is trying to spin blame elsewhere for the FBI's inadequacies.

In Europe, new rules to operate from 2008 allow the retaining of traffic identification data, but not content of messages.

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– from NY Times, 27 Oct 06

UK's cameras make expensive cannon-fodder of motorists

In a nation that is estimated to have 4,000,000 surveillance cameras — the most per capita in the world, civil liberties groups say — there are currently as many as 6,000 spots for speed cameras.

They're in the country and in the city, on highways, urban arteries, suburban streets and rural lanes.

Nationally, they rake in about \$280m Australian a year.

Washington Police Chief: camera surveillance doesn't cut crime

In the (then) seven weeks that they had been deployed, Washington DC's 48 new surveillance cameras had not helped to solve any cases, according to Washington's Police Chief Charles Ramsey.

He was speaking before the District Council's Committee on the Judiciary about the emergency crime legislation adopted on 11 July. Ramsey's statement:

<http://newsroom.dc.gov/show.aspx/agency/mpdc/section/4/release/9745>

– from Roger Clarke, Australian Privacy Foundation

Highlights for October

These activities were among the CLA highlights for October 2006:

- member Mary Bennett collected and distributed annual reports of key agencies to members for review. Keith McEwan's analysis of the Human Rights Office was the first completed, and is on the website.

- meeting with Tessa Scrine of the Baha’i faith in relation to the Department of Foreign Affairs and Trade’s (DFAT) Non Government Organisations (NGO) briefings.
- address to the ACT University of the Third Age (U3W) on the death penalty, the history of rights, and the raft of currents liberties and rights issues by Director Vic Adams, CEO-Secretary Bill Rowlings and President Dr Kristine Klugman.
- meeting with new member, barrister John Purnell, re internship and other issues.
- made submission to the Joint Standing Committee on Treaties over the China Mutual Assistance in Criminal Matters treaty.
- planning for a new, 2007 initiative with Rights Australia on the essence of Australian liberties and rights, with a meeting involving Howard Glenn, Greg Barns and observing journalist Nic Stuart.
- CEO-Secretary Bill Rowlings gave paper on civil liberties and rights of young professional employees at annual conference of the Independent Scholars Association of Australia, National Library.
- member discussions at social barbecue on 22 October.
- meeting with barrister Doug Hassell about internships and other issues.
- President Dr Kristine Klugman undertook radio and TV interview on comparative rights of parents and children in relation to drug testing.
- preliminary talks with Mark Van Veen of the Canberra Museum and Gallery about a possible cartoon exhibition, in 2007 or 2008, featuring liberties and rights in the age of terrorism.
- informal gathering of small group in Braidwood on 31 October to plan a more public meeting to possibly form a new local branch of CLA.

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WHAT’S DOING?

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 g Hassan.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

12 November, Sydney: 8am-1pm, 7km walk (1-2 hours), run or cycle for change, Iron Cove track; organized by Bridge for Asylum Seekers/Port Jackson Greens; queries Walk12Nov@gmail.com or Susan 02-9555-1213

27 Nov, Canberra: Australia and the Death Penalty forum, 9am-12.30pm, National Museum of Australia, organised by Centre for International Law and Public Law, ANU. Speakers include Professor Don Rothwell of ANU on *Legal and Policy Options in the Bali Cases* and CLA’s CEO Bill Rowlings on *Methods of Killing*. Details: <http://law.anu.edu.au/cipl/events.asp>

30 Nov–3 Dec, 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:

16 Feb, Melbourne: Human Rights Education conference, keynote speaker Rev Tim Costello (World Vision). Info: <mailto:kboin@unimelb.edu.au> or <mailto:human-rights@unimelb.edu.au>

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

17-19 May, Windsor (Canada): Citizenship, Identity, and Social Justice conference, Centre for Studies in Social Justice, U. Windsor; discussing citizenship as rights and responsibilities linked to membership in a political community. More information, <http://www.civicus.org/new/media/CitizenshipIdentityandSocialJusticeconference.pdf>

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:

US sets aside \$27m to celebrate victory in Iraq

The Bush administration has set aside \$27m Australian to celebrate VI Day (Victoria in Iraq) in 2007.

They set aside the same sum to celebrate VI in 2006. The figure, in fine print in a military spending Bill, was to pay for a celebration in Washington “for commemoration of success” in Iraq and Afghanistan.

A paragraph recently approved by the US Senate and House allows the \$27 million to be rolled over into 2007.

The original legislation empowered the president to designate “a day of celebration” to commemorate the success of the armed forces in Afghanistan and Iraq, and to “issue a proclamation calling on the people of the United States to observe that day with appropriate ceremonies and activities”.

The celebration would honor the soldiers, sailors, air crews and marines who served in Iraq and Afghanistan, and it would be held in Washington, with the \$27m to cover the costs of military participation.

– *from a report by Thom Shanker in the New York Times, 4 Oct 06*

– from NY Times, 14 Oct 06

Stunning passage of football

In Tennessee in October, an out-of-control father at a youth-league football game was shot with a Taser stun gun by a sheriff's deputy.

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

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