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Ruddock announces another \$3.6m boost to terror games

Attorney-General, Philip Ruddock, has announced another \$3.6 million to extend Australia's counter-terrorism exercises.

Speaking at the National Security Australia 2007 conference in Sydney, Mr Ruddock said the money would "assist preparations for September 2007, when 21 world leaders will attend the Asia-Pacific Economic Co-Operation Forum".

CLA says the \$3.6m will allow security, spy and police agencies to hold 'terror games', producing graphic video and photos for use throughout the Australian media, ramping up fear in the community around the time a federal election is likely to be announced.

"This is simply enabling a \$3.5m backdrop for an election announcement, providing the government with new fear footage," CLA president Dr Kristine Klugman said.

THE LAST WORD: Spy school starts early

For the ASIO agent's child who has almost everything, you can buy a car complete with video vision and sound transmission...just the thing to start recording the nefarious doings of a little brother or sister for dobbing in to Mum, who can impose an immediate Grounding Order for 48 hours, without reference to the 'independent' Judge, Father.

See story at end of this bulletin...

Wednesday 7 March: Goulburn Branch of CLA meets, Sassos, 6.30pm

Bumper edition of CLArion as activities hot up

CLA will hold meetings with five politicians in the first few days of March, including with Senator Natasha Stott Despoja and Member of the House of Representatives, Petro Georgiou.

With Senator Stott Despoja, we are discussing a possible Private Member's Bill seeking to force all Australian Parliamentarians to vote on whether or not to demand David Hicks be returned to Australia.

Leading ANU law academic Hugh Selby proposed the form of a Bill, and CLA has acted as broker to promote the concept with the Democrats.

With Mr Georgiou, we will be discussing the sedition legislation passed in late 2005 as part of major anti-terrorism legislation. As that legislation was being debated, Attorney-General Ruddock promised a review of sedition.

In March 2006, Mr Ruddock asked the Australian Law Reform Commission to investigate and report urgently on the sedition provisions. The ALRC reported in record time, in July 2006.

Since then, for nine months Mr Ruddock has sat on the ALRC recommendations, taking no action on an issue he described as urgent.

The ALRC has recommended sedition be removed from Australian law. It is Mr Ruddock's duty to take a set of recommendations – urgently – to the Australian Parliament, and CLA calls on him to recommend that Australia rids its law forever of this hateful word.

As civil liberties issues like David Hicks, a national ID card, data and privacy legislation take more prominence in a heightened, election-year climate in Australia, there is also a sense worldwide among the main news media of major, imminent change in the Middle East, the USA and Britain.

This month's newsletter reflects the increased activity - we have expanded to 24 A4 pages to cope with so much happening. It is a very busy time as we prepare for our annual report, which will be released by 23 March – if you can't make the AGM, keep an eye out for it on the website, <http://www.claact.org.au/>

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– from an article by Cynthia Banham, Sydney Morning Herald, 21 Feb 07

Keep 11 Sept in perspective, says High Court's Justice Kirby

The US had become "completely obsessed" with 11 September 2001; Australians should keep their eyes on threats to them in determining appropriate responses to terrorism, High Court Justice, Michael Kirby, said last month.

Kirby's comment came during the full court hearing into the constitutional challenge by terrorism suspect Joseph Terrence Thomas against a control order served on him by the Federal Police in August 2006.

It followed an assertion by the Commonwealth Solicitor-General, David Bennett, that the Federal Government needed "general powers to deal with a variety of threats which have largely replaced the quaintly old-fashioned idea of an invading army".

The Thomas case is the first in-depth look the High Court has had at Australia's response to the attacks of September 11, 2001.

It was brought after Thomas, who was convicted last year under the new anti-terrorism laws, had those convictions overturned on the basis the key prosecution evidence was inadmissible. Federal police then placed a control order on him.

Justice Kirby said: "More people die every day from AIDS than died on 11 September."

Go to story: <http://www.smh.com.au/text/articles/2007/02/20/1171733763717.html>

See '***New book bursts illusion...***' later in this newsletter

– from Human Rights First email, 8 Feb 07

57 nations - but not Australia - sign to ban secret detentions

Fifty-seven nations agreed to a treaty banning secret detentions last month, but Australia, the USA and other close allies, including Britain, Germany, Spain and Italy, declined to sign.

The treaty became open for formal signature on 6 February 2007 in Paris at a ceremony where 95 countries, including Australia, were represented.

Of the countries which signed the 'Enhanced Disappearances Treaty' that day, 4 were from the Asia/Pacific region (India, Japan, Mongolia and Samoa); 16 were European countries (France was one of them); 12 were from Latin America and 14 from Africa.

Why did Australia not sign? Here's what DFAT says:

"As with many other countries, Australia has not yet taken a decision on whether to sign the Treaty," said the Executive Director of the Treaties Secretariat in the International Legal Branch, David Mason.

"If Australia does decide to do so, our domestic treaty process mandates that following signature the Treaty would then be tabled in Parliament with a National Interest Analysis attached. The timing for that tabling process would of course depend on when (and if) Australia decides to sign the Treaty."

Human rights groups and family members of victims who were "disappeared" by various governments have been pushing for the treaty for nearly 25 years.

The new treaty will cover the more recent practice of the USA and other nations of secretly abducting and detaining terror suspects. President George Bush first acknowledged the use of secret overseas prisons in September 2006.

The new convention defines forced disappearances as the arrest, detention, kidnapping, or "any other form of deprivation of freedom" by state agents or affiliates, followed by denials or cover-ups about the detention and location of the missing person.

More: <http://action.humanrightsfirst.org/ct/Q7w9zX61jQX8/>

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CLA members asked to help someone get on a roll

This will be an election year, almost certainly, and new laws mean that the rolls close the day the ballot is called.

The March CLA call-to-action is for members – and any other readers – to get one new person on the electoral roll, particularly a student or young person becoming eligible for the first time.

Check to make sure you are on the roll at <https://oevf.aec.gov.au/> and download electoral registration forms at <http://www.aec.gov.au/content/what/forms/index.htm>

If you know a young person whom you think may not be on the rolls, encourage them to sign on. If necessary, get a hard-copy electoral registration form (from the Australian Electoral Commission) and help them fill it in.

– from the internet, February 2007

Whistleblowing pays off big time in the USA

A report on *Wikipedia* says that Shawn Carpenter, a former member of the technical staff at Sandia National Laboratories, in February received \$6.9 million for whistleblowing.

Carpenter discovered that a sophisticated group of hackers was systematically penetrating hundreds of computer networks at major US defense contractors, military installations and government agencies, and looting sensitive information.

After informing his superiors at Sandia, he was directed to not share the information with anyone, because management cared only about Sandia's computers.

Given his earlier military service, and a belief he had an obligation to protect national security, Carpenter worked voluntarily with the US Army and the FBI to address the problem. When Sandia discovered his actions, they sacked him and revoked his security clearance.

His story was first reported in the 5 September 2005, issue of *Time* magazine.

On 13 February 2007, a New Mexico State Court awarded him \$6.9m damages from Sandia Corporation for firing him. The jury found Sandia Corporation's handling of Mr. Carpenter's firing was "malicious, willful, reckless, wanton, fraudulent, or in bad faith."

From: <http://en.wikipedia.org/wiki/Whistleblower>

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– from an editorial in the NY Times, Feb -7

Protecting people who speak out

In a bipartisan vote last month, the US House of Representatives Government Reform Committee offered whistleblowers fresh hope of a measure to protect them against official retaliation.

The bill, sponsored by Henry Waxman, Democrat of California, and Tom Davis, Republican of Virginia, would guarantee a worker the right to a court review of a complaint if it lingers beyond six months without action.

The protection against retaliation would also be extended for the first time to the FBI and to intelligence agencies where wastefulness is draped in secrecy. And non-government workers employed by US federal contractors would finally have protection if they blew the whistle. The bill would extend anti-retaliation rights to those workers who complained about the politicization of science by patronage appointees, and to airport security workers.

Politicians campaign endlessly on promises to end waste, fraud and abuse. Congress has a golden opportunity to protect the people whose courage can make that possible.

In Australia, a three-year Australian Research Council project is investigating whistleblower legislation and issues surrounding it. We expect to have a major feature on whistleblowing on our website – <http://www.claact.org.au> – by mid-March.

Canada's top court nixes indefinite detention

Canada's Supreme Court last month struck down the government's right to detain foreign terrorism suspects indefinitely and without trial, ruling that the system violates the country's bill of rights.

The Canadian Justice Department claimed indefinite detention was an important tool against global terrorism, and was essential to national security.

But, in a swingeing 9-0 ruling, Canada's top court ruled indefinite detention without trial violated the Canadian Charter of Rights.

The judgment is suspended for a year, so Parliament has time to create a new law which will not infringe constitutional principles.

Associated Press reported the system was challenged on constitutional grounds by three men from Morocco, Syria and Algeria – all alleged by the Canadian Security Intelligence Service to have ties to al-Qaida and other terrorist groups. Each denies any ties.

Dutch negotiate hard for their citizen charged by US

A Dutch citizen charged with terrorist offences in Iraq will be tried in a US civilian court, and any sentence will be reviewable, and may be modified, in Dutch courts.

The agreement negotiated by The Netherlands contrasts dramatically with the Australian Government's inability to negotiate any meaningful court concessions for David Hicks.

Iraqi-born Dutch citizen Wesam al-Delaema, extradited to the USA from the Netherlands last month, is accused of appearing in a videotape planting explosives along a road in Iraq to target US troops. Delaema has said he was kidnapped and forced to participate in the videotaping.

The US Government will prosecute Delaema in a federal court rather than a military commission as part of an extradition agreement with The Netherlands.

Delaema may serve his sentence in a Dutch prison if convicted, and Dutch courts will also be allowed to review and may modify any prison sentence given him.

Read More: <http://action.humanrightsfirst.org/ct/V7w9zX61xQco/>

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– from a story by Stephen Labaton, NY Times, 21 Feb 07

US Federal Court says new law curbs detainees' rights

Guantanamo Bay detainees, such as David Hicks, may not challenge their detentions in US courts, the US Court of Appeals for the District of Columbia Circuit ruled last month in a 2-1 decision.

The ruling in the cases of Boumediene v Bush and Al Odah v United States upheld those parts of the Military Commissions Act of 2006 that strip nearly 400 detainees of the right to habeas corpus, their only channel to meaningfully appeal their detentions.

Observers claim the ruling runs counter to one of the US Constitution's most important checks on executive power: the right to challenge imprisonment in a fair proceeding.

Writing for the majority, Judge A. Raymond Randolph said that the right to habeas corpus does not extend to foreign nationals held overseas and that over-ruling the Military Commissions Act would defy the will of Congress.

Judge Judith W. Rogers dissented, arguing that the right to habeas corpus may extend to non-citizens held outside the United States and that the Military Commission Act's habeas stripping section amounted to an unconstitutional suspension of the writ.

Attorneys for the detainees plan to appeal the decision to the Supreme Court.

The upshot of all this is that the fiasco continues: David Hicks' mental health deteriorates in prison, forsaken by the Australian Government.

The Bush Administration is persisting with its second major attempt to rewrite reality to re-fashion basic rights law, and to perpetuate the myth that Gbay is not the United States land...but the prison you have when you're not having a prison.

For the Washington Post's coverage of the court ruling, go to:

<http://www.washingtonpost.com/wp-dyn/content/article/2007/02/20/AR2007022000490.html>

– from Human Rights First email, 22 Feb 07

US citizen's torture claim may bear on Hick's defence

A US federal court in Miami is hearing testimony on whether US citizen Jose Padilla is mentally fit to stand trial in April.

The court's ruling may have an impact on any claims by David Hicks about whether he is fit to plead.

Padilla, who was held as an "enemy combatant" in a military brig for more than three years without due process, has said he was tortured, threatened, and drugged while in prison. Padilla's lawyers say that the sensory deprivation and other abuses he suffered render him mentally unfit to stand trial.

Last month Judge Marcia Cooke of the District Court for the Southern District of Florida ordered Navy brig officials to testify at the hearing, marking one of the few instances in which prison officials have been asked to testify about detention conditions for terror suspects.

Through the hearings, defence lawyers hope to expose Padilla's treatment in military custody.

Meanwhile, prosecutors are arguing that Padilla's treatment is a government secret and has no bearing on his mental health.

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– from Human Rights First email, 16 Feb 07

New Bill seeks to reinstate America's rule of law

A Democrat Senator in the US, Chris Dodd, introduced a bill last month that would restore the right of detainees to challenge their imprisonment in court, narrow the term "enemy combatant," and allow detainees to invoke the Geneva Conventions in court.

Clarifying the definition of "enemy combatants" in particular would help to remedy legal problems by spelling out the differences between armed conflict and the Bush Administration's ambiguous "war on terror," Human Rights First Washington Director Elisa Massimino told the *Washington Post*.

The bill aims to reverse the rollback of rights brought through the Military Commissions Act passed last year.

The proposed new bill, titled the *Restoring the Constitution Act of 2007*, would also prohibit the admission in military commission trials of evidence obtained by coercion.

Meanwhile the commanding general of seven Marine bases added to calls for reform in mid-February, urging the Administration to resolve the legal status of the Guantanamo Bay detainees. More: <http://action.humanrightsfirst.org/ct/T7w9zX61ZaBs/>

– from Media, Entertainment Arts Alliance 3-newsletter, 23 Feb

Alliance calls for cameraman to be freed from Guantanamo

In Australia, the Media Entertainment and Arts Alliance (MEAA) has written to Foreign Minister Alexander Downer calling for him to support the release of Al-Jazeera cameraman Sami al-Haj.

He has been held without charge at Guantanamo Bay since 2001. See <http://www.alliance.org.au/> for more.

Al-Haj has allegedly been repeatedly tortured, sexually assaulted and interrogated for allegedly interviewing Osama bin Laden and trafficking arms for Islamic terrorists – claims which have never been proven.

Alliance Federal Secretary Chris Warren has joined the International Federation of Journalists in calling on the Australian Government to campaign for Al-Haj's release.

– from Greens media release, 18 Feb 07

ASIO to access and use ID Card database

Greens Senator Kerry Nettle has lodged questions on notice to the Government in the Australian Parliament to clarify how ASIO and other law enforcement agencies will be able to access and use the new, centralized, national ID database.

"The government is asking parliament to pass the 'Access' ID card bill without knowing what information will be on the card and database and what access government agencies including ASIO will have to that information," Senator Nettle said.

"The Greens are very concerned that the 'Access' ID card proposal is setting up infrastructure that is open to abuse by future governments to spy on the Australian community.

"The government has failed to make a convincing case for why this ID card system is needed. The Greens will use the Senate inquiry into the 'Access' ID card bill to unearth the threats the proposal bring to privacy and civil rights in Australia, she said.

In answer to questions from Senator Nettle in Senate estimates hearings, the Secretary of the Immigration Department, Andrew Metcalfe, indicated that the proposed new Australia Access Card could be used as an ID card by the Immigration Department.

"The Minister, Senator Ian Campbell, says the Access Card is not an ID card but the Immigration Department says it will accept it as ID. The Government needs to get its story straight," Senator Nettle said.

"The Greens are very concerned that the 'Access Card' will quickly move from being a de facto ID card to a compulsory ID card."

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Privacy group warn over 'ID card'

"The Government is hiding behind spin on its so-called Access Card Bill," Australian Privacy Foundation spokeswoman, Anna Johnston, warned as the Government introduced the bill to Parliament on 7 February.

"This is a national ID card, plain and simple", she said. "It has all the same features as the much-hated Australia Card proposal from the 1980s – plus biometric photos to boot."

The APF is totally opposed to the card. CLA supports the card if far more robust data protection legislation is brought in – there is no sign the government is willing to do so.

– from an SMH poll report, 7 Feb 07 - **New smartcard: For or against?**

FOR: 33% AGAINST: 67% Total Votes: 3325 (Poll date: 07/02/07)

<http://www.smh.com.au/polls/politics/form.html>

...and key private firms have access to information worldwide...

A media release in July 2006 said:

Office of Access Card: Appointment of Booz Allen Hamilton as Lead Advisor

<http://www.humanservices.gov.au/media/releases/060719.htm>

19 July 2006: Minister for Human Services, Hon. Joe Hockey MP today announced the appointment of global strategy and technology advisors Booz Allen Hamilton as the Lead Advisor to the Office of Access Card.

An article from the USA on 22 December 2004 said:

'...critics are beginning to question whether private companies should be in the business of handling some of the (US) government's most sensitive work...

'Today, the ties between intelligence agencies and the private sector are so close, it's sometimes hard to tell the difference. Joan Dempsey, a former CIA deputy director, recently -- and approvingly -- referred to consulting firm Booz Allen as 'the shadow intelligence community'. Three of Booz Allen's current and former vice presidents previously served as intelligence agency directors...'

– from **US: The Spy Who Billed Me** <http://www.corpwatch.org/article.php?id=11768>

– information supplied by Mary Lander, WhistleBlowers Australia

Philippines introduces tougher anti-terror laws

The Philippine House of Representatives last month passed an anti-terrorism bill which allows the government to hold suspected terrorists for up to 72 hours without charges, render (that is, secretly transfer) suspects to other countries, prevent suspects from using communications devices, and place them under house arrest.

Human rights groups and lawyers in The Philippines strongly oppose the new laws.

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– from a story by Julian Bajkowski Australian Financial Review, 19 Feb 07

Centrelink officers join the police force

Centrelink has been forced to justify why its officers manned roadside checks with Victorian police, who in turn used controversial electronic number plate identification to catch welfare cheats.

Centrelink chief executive Jeff Whalan said the joint operation had come at the request of Victorian authorities and was aimed at participants in the cash economy. The exercise required a dozen Centrelink staff but caught only 10 welfare cheats.

Mr Whalan said "optical surveillance" had yielded savings to his agency of \$24 million over the last financial year.

(Mr Whalan did not say why Centrelink had responded to the requests from the Victorian police: CLA says Centrelink should not have taken part. Judging by the number of complaints CLA receives about Centrelink's client service, the 12 Centrelink officers would have been much better occupied tending to their normal knitting).

CLA's Michaelsen to report on meeting of 25 NGOs

CLA's member in Warsaw and Vienna, Chris Michaelsen, is doing a round-Europe trip this month.

He is off to Baku, Azerbaijan, from later February for week, then makes an official visit to the Foreign and Commonwealth Office in London four days.

But, from our perspective, the highlight of his month will be a civil society meeting in Barcelona 13-17 March.

He is responsible for bringing together 25 Non-Government Organisations (NGOs) from throughout the European region to explore "the role of civil society in preventing terrorism and violent extremism".

Chris has promised to report back to us with the main highlights of the discussion, after he spends 20-22 March in his Vienna office.

The travel to Barcelona is certainly a relief – it was -11C in Warsaw as he prepared to leave on the odyssey.

Chris is working in the Office for Democratic Institutions and Human Rights, which is an agency of the Office for Security and Cooperation in Europe (OSCE). The ODIHR is active throughout the OSCE area (which covers 55 countries) in the fields of election observation, democratic development, human rights, tolerance and non-discrimination, and rule of law.

– by Curt Goering of Amnesty, published 21 Feb 07 by MinutemanMedia

Bring America back from the 'Dark Side'

11 January marked the fifth anniversary of the transfer of the first war on terror suspects to the US detention facility in Guantanamo Bay, Cuba.

The world was repeatedly assured by US President George W. Bush and others that these were exceedingly dangerous prisoners — "vicious killers ... the worst of a very bad lot," as former Defense Secretary Donald Rumsfeld called them.

Officials insisted that they were not POWs (prisoners of war) and therefore not entitled to the protections of the Geneva Conventions; instead, they were declared "unlawful enemy combatants." They would be vigorously interrogated, charged with war crimes and tried before military commissions. At least that was what we were told.

What a difference five years makes. About 775 detainees from 45 countries have been held at various times in Guantanamo. Today, about 430 detainees languish there. Senior administration officials have even said that some men may be held for the rest of their lives.

...for the rest of the article, go to: http://www.minutemanmedia.org/GOERING_022107.htm

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– from an article in the Sydney *Sunday Telegraph*, 11 Feb 07

Whistleblower cop claims union bullying

A 'mate-ocracy' in the Victorian police rewards personal loyalty above ethics, a whistleblower claims.

Detective Senior Constable Peter Kos, a former member of the police association executive, has revealed he fought with the police union over paying the legal fees of detectives accused of drug trafficking, according to a report in the *Sunday Telegraph*, a Sydney newspaper.

It is interesting that the story ran in Sydney, and not in Melbourne's *Sunday Herald-Sun*, the News Limited stablemate of the *Sunday Telegraph*.

Now an Ethical Standards Department member, Mr Kos was a union executive for three years, the *Sunday Telegraph* reported.

The paper quoted Victoria's former deputy Commissioner Bob Falconer as saying the police union needed to lift its game.

"In this state and others, they have doggedly defended people accused of corruption and, dare I say, they have ridiculed or lampooned those who charge them," Mr Falconer said.

"I think that police unions should lift the bar and that somewhere in their articles... they should have something there, and mean it, about professionalism, ethics and honesty."

<http://www.news.com.au/sundaytelegraph/story/0,22049,21207134-5001028,00.html>

– story supplied by Mary Lander, Whistleblowers Australia

How to search international case law

Here is a way to search for the jurisprudence of the supervisory bodies for the ICCPR, CERD, CEDAW and several other international treaties.

The database of the Dutch Study and Information Centre for Human Rights ('SIM') at Utrecht University has an updated database with several search options, and is relatively easy to use.

It is at:

<http://sim.law.uu.nl/SIM/Dochome.nsf/aedb8166f5bb4158c1256640002fb9d1/df84cef52460f085c12566400041d97d?OpenDocument>

– supplied by Chris Michaelsen, CLA member in Europe

– from an article in USA Today, 7 Feb 07

Six US States buck trend to end death penalty

At least six US states are considering broadening the death penalty, countering a national trend toward scaling back its use.

In Texas and Tennessee, for example, legislators want to include certain child molesters who did not murder their victims.

Virginia is considering bills that would make accomplices to murder, as well as killers of judges and court witnesses, eligible for the death penalty.

In Missouri, State Governor Matt Blunt said in January that he wanted a mandatory death penalty for murdering law enforcement officers.

In Georgia, a republican legislator, Barry Fleming, has introduced a bill to allow a judge to impose the death sentence if at least nine of 12 jurors — not all 12, as now — voted for it.

In Utah, the State House passed a bill last month making murder of a child under 14 subject to execution. State Representative Paul Ray, a Republican, said: "We're going to send a message that if you kill our kids in Utah, we're going to kill you. In Utah, I don't think we use the death penalty enough."

In 11 other States in the past year, lawmakers or courts have temporarily halted all executions, mostly over concerns that lethal injection is cruel and unusual punishment.

– contributed by CLA member Jeff Miles

– from MEAA bulletin, 10 Feb 07

Reporters mark Australia down for security laws

Reporters Without Borders (RSF) has condemned the strengthening of the Australian Government's anti-terror laws in its 2007 press freedom survey.

Australia was ranked 35 in the world (out of 98 countries) for press freedom by RSF in 2006. For the full report visit http://www.rsf.org/article.php3?id_article=20843

Meanwhile, daily newspapers have surged above 10,000 worldwide, and circulation is up almost 10 per cent since 2002, the World Association of Newspapers has found. More information: <http://www.wan-press.org/article12949.html>

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Civil society leaders stage sit-in over Nepalese king

Prominent Nepalese civil society activists have denounced the democracy day message by King Gyanendra, terming it as "an ill-intentioned attempt to justify his autocratic takeover of 1 February 2005."

"The statement goes against the people's desires for lasting peace through the free and fair conduct of the constituent assembly elections," says a statement issued jointly by leading civil society activists including senior leftist politician Nilambar Acharya, human rights activist Sushil Pyakurel, politician Nabindra Raj Joshi and senior journalist Kanak Mani Dixit.

For more information, see: <http://www.nepalnews.com/archive/2007/feb/feb19/news13.php> or <http://www.nepalnews.com/archive/2007/feb/feb20/news07.php>

– from Fiji Times, 31 Jan 07

Fiji civil groups concerned over human rights abuse

Non-governmental organizations in Fiji are raising concerns over the military's tactic of taking in people for 'questioning'.

Representatives from various organisations met the Eminent Persons Group and later Interim Prime Minister of Fiji, Voreqe Bainimarama.

The director of the Pacific Centre for Public Integrity, Angie Heffernan, was questioned by police for about an hour, her lawyer, Tupou Draunidalo, confirmed.

"No, she was not taken into custody. She was only questioned by the police and later released. It is a normal police procedure that they are following after the military lodged a complaint against her," she said.

More information: <http://www.fijitimes.com/story.aspx?id=56142>

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– from UNity, weekly e-newsletter of the UN Assn of Australia, 10 Feb 07

Asia-Pacific relations ‘worryingly low’ say NGOs

Uniya Jesuit Social Justice Centre has released a report card on the Australian Government’s performance in 2006 in its relations with the Asia-Pacific region, assessed for the first time by nearly 100 regional non-governmental agencies.

The most comprehensive study of its kind in Australia, the survey was conducted from June to August 2006 by Uniya in partnership with Griffith Asia Institute. It involved more than 90 Non-Government Organisations from a list of 500 from South East Asia and the Pacific.

Uniya Director Mary Bryant said the study suggested that Australia’s pragmatic bilateral approach to diplomacy was not enough to win over neighbours’ hearts and minds.

“The study suggests that talking about good diplomacy, improving the environment and better trade are not enough. Our neighbours want real action.

“The survey offers a number of suggestions from our regional neighbours that the Government will ignore at its own peril as it seeks greater ties with ASEAN and greater influence over events in the Pacific,” she said.

Full report: <http://www.uniya.org> More information: Uniya Jesuit Social Justice Centre (Mary Bryant) 02 9356 3888

– from UNity, 10 Feb 07

Senate supports UN disabilities convention

There was cross party support on 7 February for Greens Senator Rachel Siewert’s motion for Australia to be one of the first countries to sign up to the UN Convention on the Rights and Dignity of Persons with Disabilities.

"The Convention is open for signing on March 30, 2007 and I am delighted that the Government intends for Australia to be one of the first signatories," she said.

"The Convention has been on the drawing board since 2001, and is designed to advance the rights and dignity of people with disabilities. I acknowledge the support of all parties in encouraging the Government to formally sign the Convention at the earliest opportunity."

UN Convention Homepages

<http://www.un.org/esa/socdev/enable/>

<http://www.ohchr.org/english/issues/disability/convention.htm>

<http://www.worldenable.net/rights/>

Australia defends a system where women are non-beings

How much is Australia’s presence in Afghanistan contributing to the improvement in human rights for women? Read this article by Ann Jones to find out.

<http://www.commondreams.org/views07/0205-24.htm>

– contributed by CLA member Neal Wilkinson

– from a Jakarta Post report, 7 Feb 07

Sustainability is concern for NGOs in Indonesia

"Sustainability is the main threat for NGOs, as most of them have weak leadership, poor planning and poor strategic management," said Artanti Wardhani of the Center for Global Civil Society Studies (Pacivis), according to a report in the Jakarta Post last month.

"They are also project-based oriented and dependent on funding agencies," she told the newspaper after the opening of a two-week training program on NGO management at the University of Indonesia.

Thirty people from NGOs across Indonesia attended the course, organised to improve leadership, strategic planning and financial management, as well as to help networking.

Details: <http://www.thejakartapost.com/detailnational.asp?fileid=20070207.H09&iREC=8>

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– from a story by Ridwan Max Sijabat, Jakarta Post, 15 Feb 07

Indonesian police and lawyers urged to mend rift

Lawmakers in Indonesia have called on the police and lawyers to sign a joint statement of understanding in order to avoid law enforcement conflicts.

"The police have investigation authority in enforcing the law, while lawyers have immunity in providing legal assistance to their clients," said Trimedya Panjaitan, chairman of House of Representatives Commission III overseeing legal, legislation, human rights and security affairs. "Each side has to understand the other's duties."

Trimedya was commenting on rifts between the legal profession and the police. Detectives were recently accused of beating a lawyer who was attending a client during an interrogation.

Indonesian Lawyers Association (Peradi) chairman Otto Hasibuan said Peradi and the police were drafting a joint statement to avoid any future conflicts.

"The joint statement will be signed in the near future to build a joint understanding between police investigators and lawyers when both sides are doing their work," he said. Peradi and National Police Chief Gen. Sutanto met in Jakarta in mid-February.

Otto said the association understood the need of the police to tap lawyers' phone lines to detect conspiracies when handling major cases, but the police also needed to understand that lawyers had immunity.

– from Council of Europe website, <http://assembly.coe.int/> 16 Feb 07

Marty's request to visit Guantánamo turned down

A request by Dick Marty – the man investigating secret detentions and the unlawful transfer of detainees for the Council of Europe's Parliamentary Assembly (PACE) – to visit the US detention facilities at Guantánamo Bay in Cuba has been turned down.

Mr Marty, who made the request in October 2006, had asked to make the visit in the company of the UN Special Rapporteur on Torture, Manfred Nowak.

Marty's aim was to question detainees, including those whose transfer to Guantánamo President Bush acknowledged in September 2006, about reports that they were earlier held in secret prisons in Europe.

New family advisers appointed

Attorney-General Philip Ruddock has appointed Deputy Chief Justice John Faulks, Federal Magistrate Norah Hartnett and Federal Magistrate Robyn Sexton to the Family Law Council, as well as re-appointing Mr Kym Duggan.

The Family Law Council advises the Attorney-General on family law legislation and associated matters.

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– from Human Rights First, 16 Feb 07

CIA contractor gets eight years over detainee's death

The only person working for the CIA to be prosecuted for the prisoner abuses in Iraq and Afghanistan was sentenced in February to more than eight years in prison for beating a detainee who died shortly after the assaults.

Passaro, a former CIA contractor, was convicted in August of assaulting Afghan farmer Abdul Wali, who was detained on suspicions of setting off rocket attacks. Passaro deprived Wali of sleep, limited his access to food and water, and beat him severely in two consecutive interrogations.

Twenty other cases of prisoner abuse may come before US courts.

Kidnap victim released

An Egyptian cleric kidnapped and secretly transported by the CIA from the streets of Milan to Cairo has been freed, after lingering in prison for four years, his attorney said last month.

The prisoner, Hassan Mustafa Osama Nasr, known as Abu Omar, says Egyptian guards tortured him with electric shocks, beatings, rape threats, and sexual assault. More info:

<http://action.humanrightsfirst.org/ct/Tdw9zX61ZaBw/>

– from a Reuters story, 13 Feb 07

Police should apologise for Rambo raid mistake

LONDON – Scotland Yard police should apologize to two families subjected to a "terrifying ordeal" by anti-terrorist officers searching for a bomb, an independent panel has decided.

One man was shot when an officer's gun went off by accident during a dawn raid in June in Forest Gate in east London. The intelligence was wrong – no bomb was found.

The Independent Police Complaints Commission (IPCC) said the police were right to act, but should have planned for a possibility that the information was wrong.

"Intelligence is not evidence," said the board's commissioner, Deborah Glass, according to Reuters. "The police need to plan for the failure of intelligence. Where as a result of a high-profile operation innocent people are injured or publicly branded as terrorists, the police should make an equally high-profile public apology."

Mohammed Abdul Kahar, who was shot in the shoulder, and his brother, Abul Koyair Kalam, were arrested in the raid, carried out by 250 officers, including 15 in chemical and radiological protection suits.

The IPCC ruled that the shooting was an accident, the result of contact on a narrow staircase between Mohammed Abdul Kahar and a police officer, according to a report in *The Guardian*.

– from an article by Jim Dwyer, NY Times, 16 Feb 07

Judge puts tighter controls on NY police taking videotapes

A US federal judge ruled last month that New York police must stop routinely videotaping people at public gatherings unless there is an indication that unlawful activity may occur.

The judge's rebuke now curtails a surveillance practice greatly expanded by the police after the 11 September 2001 aircraft attacks on the Twin Towers.

Four years ago, at the request of the city, the same judge, Charles S. Haight Jr, gave the police greater authority to investigate political, social and religious groups.

In last month's ruling, Judge Haight, of the US District Court in Manhattan, found that by videotaping people who were exercising their right to free speech and breaking no laws, the Police Department had ignored the milder limits he had imposed in 2003.

More information: <http://www.nytimes.com/2007/02/16/nyregion/16police.html?th&emc=th>

Sunset clauses to end Canadian anti-terror law excesses

Two controversial Canadian counter-terrorism measures due to expire in late-February raised questions in the Canadian parliament over whether to renew them.

The two provisions of Canada's Anti-Terrorism Act, passed after the 11 September 2001 aircraft attacks in the USA, allow the Canadian government to hold terror suspects without charges for 72 hours and authorize judges to compel witnesses to testify in terrorism cases.

Liberal parliamentarians acknowledged they were divided over whether to renew the provisions, while conservative Prime Minister Stephen Harper has called for a three-year extension of the measures.

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– from a story by Victoria Shannon, NY Times, 20 Feb 07

Europe plans to track phone and internet use

PARIS — European governments are preparing legislation to require companies to keep detailed data about people's Internet and phone use that goes beyond what the countries will be required to do under a European Union directive operative from 2009.

New laws in Germany, The Netherlands, Spain and Britain are resulting from law enforcement authorities arguing that they needed better and longer data storage from companies handling Europe's communications networks.

It appears there is a shift occurring in privacy policy in Europe, which has long been a defender of individuals' rights.

More details: <http://www.nytimes.com/2007/02/20/business/worldbusiness/20privacy.html>

Saudi 'terror suspects' are democracy activists – claim

Ten men arrested by Saudi authorities for raising money to carry out terrorist acts included democracy activists, according to a lawyer for some of the men.

He said the arrests were a pretence to stamp out calls for reform.

The Saudi government has accused the men of raising money to carry out terrorist attacks abroad. They were part of a network to finance recruiters to fight outside the country, probably in Iraq, according to the Saudi Interior Ministry.

But supporters say the accused, mostly lawyers and professors, were planning to form a civic rights group and intended to defend more than 40 prisoners without legal representation.

The arrests are among the first Saudi Arabia has made in connection with the financing of terrorism, experts say.

Read More: <http://action.humanrightsfirst.org/ct/Qpw9zX61jQXi/>

– from Vanity Fair (USA), March 2007

Meet a Gbay lawyer...not Mori

The prestige US magazine *Vanity Fair*, in its issue dated March 2007, has an interview by Marie Brenner with an American lawyer, Charles Swift, who is defending one of the Guantanamo Bay inmates.

Here's their write-off above the story, plus a comment by Swift. 'JAG' stands for Judge Advocate General, the shorthand for the US military legal support system. Full story:

<http://www.vanityfair.com/politics/features/2007/03/guantanamo200703?printable=true¤tPage=all>

Taking on Guantánamo

Assigned to defend a Guantánamo detainee, JAG lawyer Charles Swift joined up with legal scholar Neal Katyal and sued the President and Secretary of Defense over the new military-tribunal system. With their 2006 Supreme Court victory overridden by the Republican Congress, and Swift's navy career at an end, they are fighting on.

Here is a quote from Swift, as reported by *Vanity Fair*:

'The whole purpose of setting up Guantánamo Bay is for torture. Why do this? Because you want to escape the rule of law. There is only one thing that you want to escape the rule of law to do, and that is to question people coercively — what some people call torture. Guantánamo and the military commissions are implements for breaking the law. Why build a prison here when there are plenty of prisons in Nebraska? Why is it, when we see photos of Abu Ghraib, we think that it is "exporting Guantánamo"? That it is the "Guantánamo method"?'

—Lieutenant Commander Charles Swift to Marie Brenner, January 2007.

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– from an editorial in the NY Times, Feb -7

Protecting people who speak out

In a bipartisan vote last month, the US House of Representatives Government Reform Committee offered whistleblowers fresh hope of a measure to protect them against official retaliation.

The bill, sponsored by Henry Waxman, Democrat of California, and Tom Davis, Republican of Virginia, would guarantee a worker the right to a court review of a complaint if it lingers beyond six months without action.

The protection against retaliation would also be extended for the first time to the FBI and to intelligence agencies where wastefulness is draped in secrecy. And non-government workers employed by US federal contractors would finally have protection if they blew the whistle. The bill would extend anti-retaliation rights to those workers who complained about the politicization of science by patronage appointees, and to airport security workers.

Politicians campaign endlessly on promises to end waste, fraud and abuse. Congress has a golden opportunity to protect the people whose courage can make that possible.

– from various sources, Feb 07

Another US State approves same-sex civil unions

New Jersey USA last month saw the first couples exchange civil union vows in a new era for same-sex couples.

Governor Jon S. Corzine signed the law allowing civil unions, though many people were still disappointed with the term, preferring “same-sex marriage” or “spousal union”.

– from a report by Julia Preston, NY Times, 5 Feb 07

US to begin vast expansion of DNA sampling

The US Justice Department is completing rules to allow the collection of DNA from most people arrested or detained by federal authorities, a vast expansion of DNA gathering that will include hundreds of thousands of illegal immigrants, by far the largest group affected.

The new forensic DNA sampling was authorized by Congress in a little-noticed amendment to a January 2006 renewal of the Violence Against Women Act, which provides protections and assistance for victims of sexual crimes.

The amendment permits DNA collecting from anyone under criminal arrest by federal authorities, and also from illegal immigrants detained by federal agents.

The goal, justice officials said, is to make the practice of DNA sampling as routine as fingerprinting for anyone detained by federal agents, including illegal immigrants. Until now, federal authorities have taken DNA samples only from convicted felons.

Peter Neufeld, a lawyer who is a co-director of the Innocence Project, which has exonerated dozens of prison inmates using DNA evidence, said the government was overreaching by seeking to apply DNA sampling as universally as fingerprinting.

“Whereas fingerprints merely identify the person who left them,” Mr. Neufeld said, “DNA profiles have the potential to reveal our physical diseases and mental disorders. It becomes intrusive when the government begins to mine our most intimate matters.”

Forensic DNA is culled either from a tiny blood sample taken from a fingertip (the FBI’s preferred method) or from a swab of the inside of the mouth. Federal samples are logged into the FBI’s laboratory, analyzed and transformed into profiles that can be read by computer.

The profiles are loaded into a database called the National DNA Index System.

Mr Neufeld, of the Innocence Project, said his group supported broad DNA collection from convicted criminals. But, he said, “There is no demonstrable nexus between being detained for an immigration matter and the likelihood you are going to commit some serious violent crime.”

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From a story by Mark Landler, NY Times, 1 Feb 07

German court puts CIA on trial for kidnapping

A German court has issued an arrest warrant for 13 people in the mistaken kidnapping and jailing of a German citizen of Lebanese descent, in the most serious legal challenge yet to the Central Intelligence Agency's secret transfers of terrorism suspects.

Prosecutors in Munich said the suspects, whom they did not identify, were part of a CIA 'abduction team' that seized the man, Khaled el-Masri, in Macedonia in late 2003 and flew him to Afghanistan.

He was imprisoned there for five months, during which, he said, he was shackled, beaten and interrogated about alleged ties to Al Qaeda, before being released without charges.

His ordeal is the most extensively documented case of the CIA's practice of 'extraordinary rendition' – which CIA says is a kidnapping – in which terrorism suspects are seized and sent for interrogation to other countries, including some in which torture is practised.

<http://www.nytimes.com/2007/02/01/world/europe/01germany.html?ei=5094&en=6f12d67d6aa79a74&hp=&ex=1170392400&partner=homepage&pagewanted=print>

– from Human Rights First's Law and Security Digest, 1 Feb 07

US Army refuses to prosecute special forces soldiers

The US Army has declined to act on the recommendation of military investigators to charge two special forces soldiers for assault over the deaths of two Afghan detainees.

Instead, the soldiers were cleared of any wrongdoing, but given administrative reprimands for failing to report the deaths. Administrative reprimands prevent soldiers from advancing within the military but allow them to avoid criminal charges.

The cases stem from the deaths of 18-year-old Afghan army recruit Jamal Naseer, who was allegedly tortured during interrogations at a base in Gardez, Afghanistan, and Wakil Mohammed, an unarmed woodcutter who was shot in the face during a search operation.

Special Forces and the CIA have remained essentially immune from accountability for abuses, according to Human Rights First.

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– from Australian Privacy Foundation e-list, 10 Feb 07

Maine rejects REAL ID, other states following

In February, the US State of Maine's House and Senate registered nearly unanimous opposition to the federal REAL ID Act, which mandates federal requirements for state driver's licenses.

Another dozen states are reviewing legislation against REAL ID, including Arizona, Georgia, Hawaii, Massachusetts, Missouri, New Hampshire, New Mexico, Oklahoma, Utah and Wyoming.

The issue and debate in the USA could be a forerunner to what will happen here, once the Australian Government beds down the national ID card and Australian States are forced to become data collectors and guarantors.

The State of Maine's resolution said: "Maine State Legislature refuses to implement the REAL ID Act and thereby protest the treatment by Congress and the President of the states as agents of the federal government." The resolution also asks Congress to repeal the law.

The National Conference of State Legislatures has released a report estimating REAL ID's cost to the states would be more than \$US11 billion over five years.

Under the REAL ID Act, state motor vehicle registration authorities will have to verify identification documents and the legal status of immigrants. States must link their databases so that all information collected by each authority can be accessed.

By 11 May 2008 (three years after passage of the REAL ID Act) states must meet federal standards to be accepted for federal use (entrance into a courthouse, on to a plane; receiving federal benefits, such as Social Security or Medicare).

The US Department of Homeland Security has yet to issue the guidelines explaining how the states can meet these standards.

For further info: Maine Legislature's Resolution Against the REAL ID Act:

<http://www.mainesenate.org/mitchell/realid.htm>

National Conference of State Legislatures Report: *The Real ID Act: National Impact Analysis* (pdf): http://www.epic.org/redirect/ncsl_id_0906.html

US to get new Data Privacy and Security Act

In early February US Senators introduced the Personal Data Privacy and Security Act of 2007 (S. 495), a bipartisan bill which requires government and commercial entities to ensure that the personal data they collect is protected by adequate security.

The bill aims to prevent and mitigate identity theft, ensure privacy, provide notice of security breaches, and enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information.

The bill adds "unauthorized access to sensitive personally identifiable information" to the criminal prohibition against computer fraud under the Criminal Code.

It also provides a criminal penalty for intentional and willful concealment of a security breach involving personal data, and increases criminal penalties for identity theft involving electronic personal data.

For a copy of the Act (pdf): <http://www.epic.org/privacy/pdf/DPSA2007.pdf>

In Australia, there is a current inquiry into privacy legislation being conducted by the Australian Law Reform Commission. For further information on what's happening when, go to: <http://www.alrc.gov.au/inquiries/current/privacy/timetable.htm>

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– from Find Law, 13 Feb 07

US begins kidnapping from Somalia conflict

An American from Houston, Texas, Daniel Maldonado a/k/a Daniel Aljughafi, has been charged in the US with receiving terrorist training by al Qaeda on how to use weapons, make bombs, and interrogate captives.

After being captured in Kenya, he allegedly told FBI agents there that he intended to fight "against all those who are against the Islamic State," and "that he had 'no problem' killing or fighting Americans."

The low-level operative, who apparently never fired a shot in anger, was flown secretly from Africa to the USA in early February.

The US Administration continues to believe it is entitled to kidnap people of all nationalities and fly them by night around the world into hellhole prisons, and places like Guantanamo Bay.

– base story supplied by Robert Briggs, who comments:

An American captured fighting in Somalia foolishly talked at length to the FBI about his activities (apparently after receiving his 'Miranda' warning), perhaps thinking he was making a

clean break of things, and certainly not realising that the particular training camp he had attended was 'unapproved'!

He may not have realised that his anti-American statements were, well, blasphemous, and that laws are on the books to send you away for doing these things...probably much the same as laws used against Australian Jack Thomas who also spoke freely to the Australian Federal Police in Pakistan.

These US charges against Maldonado are based on recent activities and have no problem of retrospectivity.

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– from Relief Web, the world's disaster relief website, 6 Feb 07

Civil society fights immunity for Afghan warlords

KABUL – An association of 58 civil society and rights groups in Afghanistan is campaigning against a controversial bill in the upper house that would grant immunity for all war crimes.

"We are working hard with other civil and rights groups to avoid its potential endorsement by the upper house," Azaryuon Matin, coordinator of the Civil Society and Human Rights Network (CSHRN), which encompasses 58 civil and rights groups, said early last month.

"We are asking the international community for help to press the government to prevent the draft bill's possible endorsement."

On 31 January, the 249-seat lower house (Wolesi Jirga) of Afghanistan's National Assembly approved a bill granting immunity to all those who committed war crimes during the Soviet occupation from 1979 to 1989; the civil war that followed until 1996; and during the Taliban rule until late 2001.

The draft bill still needs to be endorsed by the 102-member upper house (Meshrano Jirga) of parliament and then signed into law by President Hamid Karzai.

<http://www.reliefweb.int/rw/RWB.NSF/db900SID/KHII-6Y74S7?OpenDocument>

Review:

New book exposes mass surveillance security

A new book draws together the threads of US-inspired surveillance and lays out how the Bush Administration's paranoia is changing notions of liberty and freedom worldwide.

America's largest export since 2001 has been fear.

According to the American Civil Liberties Union, Maureen Webb's *Illusions of Security* is a clear exposition of the alarming reality of world information dominance behind the President Bush rhetoric of a 'war on terror'.

"Maureen Webb's message in her brilliant, much needed new book is 'Your government is spying on you, and it's going to get worse until we do something about it,'" says the President of the ACLU, Nadine Strossen.

"In measured, lucid detail, Webb presents a wide-ranging account of the emerging global network of surveillance that is infringing on the personal privacy and civil liberties of people in the United States and worldwide."

Webb is a human rights lawyer and activist who was a Fellow at the Human Rights Institute at Columbia University in New York, and a litigator for some of the first constitutional cases heard under Canada's Charter of Rights and Freedom. She is co-chair of the International Civil Liberties Monitoring Group, based in Ottawa..

In an interview by Chris Cobb in *The Ottawa Citizen*, she said: "It is a naive assumption that the laws and practices we are putting in place are only going to be used against others. The 'others' in its narrowest sense are terrorists but these measures are being used against entire religious and ethnic communities and against immigrants and dissidents. Many people on the no-fly lists in America are peace or civil liberties activists."

Cobb quotes her as saying that high-tech security systems, a multi-billion dollar saviour for a flagging high-tech industry, are notoriously unreliable and provide data that is often inaccurate, incomplete and out of context.

Governments, she says, must weigh the real risk of terrorism against the financial cost and loss of civil liberties and put terrorism in context with greater risks to human life – such as global warming, car accidents, disease and poverty.

"Is terrorism really the pre-eminent risk facing human kind?" she says. "Absolutely not and we need to have a proper perspective."

For the Cobb/*Ottawa Citizen* story, go to:

<http://www.canada.com/ottawacitizen/news/observer/story.html?id=f3426e2d-a1d2-4029-98e3-8d410e64d346>

Illusions of Security: Global Surveillance and Democracy in the Post-9/11 World, By Maureen Webb, ISBN 0-87286-476-6, paperback, 304 pp, \$US16.95. Availability in Australia is not known.

– provided by Roger Clarke, CLA member and president Australian Privacy Foundation

– from an article by Robert Pear, New York Times, 30 Jan 07

Bush's new order allows him to control regulations

President Bush has this year signed a directive that gives the White House much greater control over rules and policy statements that the government develops to protect public health, safety, the environment, civil rights and privacy.

In an executive order published in January in the Federal Register, Mr Bush said that each agency must have a regulatory policy office, run by a political appointee, to supervise the development of rules and documents providing guidance to regulated industries.

The White House will thus have a gatekeeper in each agency to analyze the costs and the benefits of new rules and to make sure the agencies carry out the President's priorities.

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– from Human Rights First email, 1 Feb 07

Russian court curtails human rights group

A top court in Russia in late January effectively shut down the Russian Chechen Friendship Society (RCFS), one of the few organizations in Russia reporting on human rights conditions in Chechnya and the North Caucasus.

"The world has lost a window on the catastrophic human rights consequences of the enduring conflict in Chechnya," a spokesperson for HRF said.

<http://www.humanrightsfirst.org/media/hrd/2007/alert/308/>

Little is new head of Aboriginal centre

The Aboriginal Justice Centre (an ACT organisation) has a new chief executive officer, Rod Little Information about the AJC is at <http://www.actajc.org.au/>

Contact details for the AJC, which was set up in November 2005, are: Level 3 Griffin Centre, Genge Street, Canberra ACT 2600. Ph: (02) 6162 1000; fax: (02) 6162 1100; email: info@actajc.org.au ; web: www.actajc.org.au

- from Humanity, newsletter of the Human Rights Commission of the ACT, Feb 07

Young people's bill open for scrutiny

An exposure draft of the ACT's Children and Young People Bill 2007, which incorporates significant policy changes particularly in the areas of care and protection, youth justice, childcare services and employment, has been released for community consultation until 9 March 2007.

Further details: <http://www.dhcs.act.gov.au/wac/Policy/childrensactreview.htm>

New youth handbook published

'When Can I? A legal information handbook for young people' has been published by the ACT Legal Aid Office.

It aims to provide young people with a quick source of legal information about common issues that may affect them, including school, work, income support, safety, sex, police, drugs, debt and consumer problems.

To get a free copy email: legalaid@legalaid.canberra.net.au or phone 02 6243 3419.

New privacy/reputation fact sheet issued

A person's right to privacy and to have their reputation protected stems directly from international agreements, the ACT Human Rights Commission says in a newly-released fact sheet.

The rights are protected under s.12 of the ACT Human Rights Act 2004, which derives from Article 17 of the International Covenant on Civil and Political Rights, the HRC says.

This 7-page fact sheet considers the broad scope of the right, drawing on comments and cases decided by the UN Human Rights Committee, the European Court of Human Rights and other sources.

The fact sheet is on the Commission website or available from the office:

<http://www.hro.act.gov.au/index.html>

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AGM: ...plus Aboriginal history, and a BBQ

Saturday 24 March, Yarramundi Centre, 4pm

Please make it if you can to the CLA AGM on Saturday 24 March, at 4pm, in Canberra.

The formal proceedings will run from 4pm to about 5.00pm.

After the formalities, Indigenous historians Ann Jackson-Nakano and Paul House will give a talk on the Aboriginal history of the National Capital region – the people, the places, their customs and culture and their partial diaspora in the first century after European settlement.

There will be a barbecue provided – bring your own drinks. It is the last day of daylight saving, so there should be good light to 7pm.

The AGM is at the Yarramundi Aboriginal Cultural Centre, on the western shore of Lake Burley Griffin, on the side road about 1km north of the zoo. If in doubt, phone 02 6288 6137 for directions, or email: <mailto:secretary@claact.org.au> and we'll send you a map).

(The centre was formerly the temporary National Museum of Australia - it is a wooden building set back from the road, with plenty of free parking).

Books, journals, articles your politicians are reading:

From the federal Parliamentary Library – ask your MHR or Senator to get you a copy of anything that interests you.

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DIARY DATES

1 March, Canberra: *Protecting Victims of War: The work of the International Committee of the Red Cross*, Nicole Hogg, Legal Adviser to the ICRC Regional Delegation to the Pacific, 1-2pm, Law Link Theatre, ANU College of Law. Free, open to public, no RSVP required.

7 March, Canberra: Health Rights and Responsibilities workshop, free, 9–noon, organized by the ACT Human Rights Commission.

13 March, Canberra: Introduction to the Discrimination Act workshop, 10am–1pm, organized by the ACT Human Rights Commission.

19 March, Sydney: Privacy public meeting, organized by the Australian Law Reform Commission, 6-7.20pm, Sydney Masonic Centre, 66 Goulburn St, Sydney. More info: <http://www.alrc.gov.au/inquiries/current/privacy/syd.htm>

24 March, Canberra: **CLA's AGM**, Yarramundi Aboriginal Cultural Centre, beside Lake Burley Griffin. Details <mailto:secretary@claact.org.au> or <http://www.claact.org.au/> and check out 'Calendar'

25-27 March, Canberra: 'National Day of Shame' and Canberra Freedom Ride (by bus from Sydney), 10-year anniversary of the overturning by the Australian Parliament of the Northern Territory's Rights of the Terminally Ill Act, which permitted a legal, lethal, voluntary injection. Details: <mailto:contact@exitinternational.net> or phone 1300 10 3948

31 March–1 April, Canberra: Refugee conference, Manning Clark House, with Julian Burnside. Info: forum program, call Sandy Forbes, (02) 6295 9433 or email manningclark@ozemail.com.au

12-13 April, Canberra: Climate Law in Australia conference, National Museum of Australia, Canberra. For program and registration see: <http://law.anu.edu.au/accel/events.asp>

14-23 April, Darwin: Human rights training program for Indigenous advocates: for community advocates working for Indigenous rights in Australia and Indigenous peoples and minorities in the Asia-Pacific. Details: <http://www.dtp.unsw.edu.au/>

17-19 May, Windsor (Canada): Citizenship, Identity, and Social Justice conference, Centre for Studies in Social Justice, U. Windsor. Info: <http://www.civicus.org/new/media/CitizenshipIdentityandSocialJusticeconference.pdf>

5 June, Canberra and other world cities: March of the Millions for Israeli-Palestinian peace, coordinated by IPCRI (Israel-Palestine Centre for Research and Information). Events in key capital cities such as Jerusalem, Tel Aviv, Ramallah, Nablus, Gaza, Washington, Paris, Berlin, London, Moscow, Rome, Amman, Cairo, Tokyo...and Canberra. Full details: <http://www.june5thinitiative.org/> Canberra-specific details: <http://bram.van-oosterhout.org/twiki/bin/view/Home/InternationalPeaceEvent2007> Judy Bamberger.

5 June, Canberra: Health Rights and Responsibilities workshop, free, 9–noon, organized by the ACT Human Rights Commission

28-30 June, Canberra: ‘Restoring the Rule of Law in International Affairs’, conference of A&NZ Society of International Law, National Museum of Australia, host Centre for International and Public Law, ANU. Details: Kavitha Robinson <mailto:cipl@law.anu.edu.au>

29 June, Canberra: Human Rights Community Forum, organized by the ACT Human Rights Office.

1 July, World: Application deadline for the Rotary World Peace Fellowship and Conflict Studies Program for January 2008 session: pursuing a master’s degree in international studies, sustainable development, peace, and conflict resolution at one of the six Rotary university partners: U California, Berkeley; Duke U; U. North Carolina; International Christian U; U Queensland ; U Salvador. For more information: http://www.rotary.org/foundation/educational/amb_scho/centers/scholars/index.html

26-30 August, 2007, Melbourne: Australasian Council of Women and Policing’s Fifth Australasian Women and Policing conference, Carlton Crest Hotel, Melbourne. 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**.

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THE LAST WORD: Is ASIO preparing tender for spy toys?

Wild Planet Entertainment, which makes a line of “spy toys for any mission” under the rubric Spy Gear, had added a surveillance wrinkle to a rather conventional remote-controlled vehicle.

Its Spy Video Car, which sells for \$US140 (about \$180), has a front-mounted camera that wirelessly transmits a live video image that can be viewed in an eyepiece.

“A separate transmitter in the car transmits the video over a 2.4 megahertz frequency like a wireless phone uses,” said Shannon Bruzelius, the product integrity engineer at Wild Planet.

He said the company plans to add a \$15 Mobile Spy Ear vehicle (not remotely controlled) equipped with a microphone and an amplifier that can wirelessly beam sounds up to 75 feet (25 m) to an earbud the user wears.

– from Michael Marriott’s sneak preview of the toy show, NY Times, 8 Feb 07

<http://www.nytimes.com/2007/02/08/technology/08toys.html?th=&emc=th&pagewanted=print>

– from a story by Bruce Schneier, NY Daily News, 19 Jan 07

Camera phones v crime: now we're talking!

New York Mayor Michael Bloomberg announced last month that the Big Apple will be the first city with 911 call centres able to receive images and videos from cell phones and computers.

If you witness a crime in New York, you can not only call in – you can send in a picture or video as well.

<http://www.schneier.com/essay-151.html>

(PS: CLA tried this with the Australian Federal Police about two months ago, and it was possible – just – to send a photo to the police via one of their contact email addresses...but you wouldn't want to be in a hurry, as it took them about 18 hours to follow up with a return phone call. Police websites should carry a clear, prominent **EMERGENCY EMAIL** address/link, alongside their EMERGENCY PHONE number).

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CLArion welcomes contributions. Please send items by email to <mailto:secretary@claact.org.au> – please 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. Post clippings to Box 7438 Fisher ACT 2611.

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