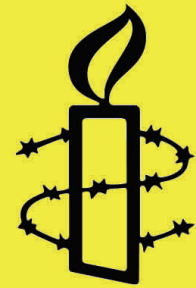


CHILDREN'S RIGHTS NETWORK

AMNESTY INTERNATIONAL

Aotearoa New Zealand



April 2009

Co-ordinators – Joan & Peter Sutton, Jan Marsh

Editorial

This issue of the newsletter includes four appeal cases as well as local and international news on human rights. We urge you to act immediately on all of these cases but remind you that, if you are short of time, you can decide how many to action and which ones.

Amnesty has received two lovely long letters of appreciation from Patrick Okoroafor (of Nigeria) and his mother. They are addressed to all who helped with the campaign for his release. Although he remains in prison, further campaigning on behalf of Patrick and other juvenile offenders in Nigeria will take place in June this year, while our student activists continue to campaign on his behalf also.



From Patrick (edited without correction):

"Dearest members of Amnesty International,

I thank you from the bottom of my heart for your efforts and assistance to me.....all your mails, cards and pictures have gone a long way to show and reassure me that your with me in truth and spirit, and that you are doing your best to help me regain my freedom. You have giving me hope and shown me a lot of love.....

Bravo, long live Amnesty International and long live all those people who are working to help me regain my freedom. I love you all!" --- Patrick Okoroafor

From Patrick's mother (once again edited without corrections):

"Dearest members of Amnesty International

I have received all your beautiful mails, cards and pictures. Indeed I am very grateful for all of them. Please send my sincerest thanks and love to the general Amnesty Community and others who have been part of the on-going champagne to get my son freed I am very optimistic that one day those your efforts will materialize and we shall all celebrate it by God's grace..... I love all of you, I thank all of you and may God bless all of you. " ---- Mrs Monica Okoroafor

Children's Rights Internationally

The international campaign to make children's rights more central in Amnesty's work is progressing. The Spanish Section has put forward a resolution to the International Council Meeting (ICM) in Turkey later in the year which reads: -

"The ICM Requests the IEC (International Executive Committee) to, within the ISP (Integrated Strategic Plan), identify minors as an especially vulnerable group; in such a way that the organisation will work on the serious human rights violations and abuse suffered by girls, boys and teenagers in all the main campaigns and actions".

This resolution will be discussed in one of the Working Parties and it is expected that delegates from Denmark, Germany, the UK and France, among others, will support the initiative. We are hoping that New Zealand will be one of the “others”.

New Zealand Annual Meeting

The Network’s delegate at the Annual Meeting will be Jan Marsh. The Network has a resolution before the AM that we hope will receive support from the meeting. It reads:

“This Annual Meeting strongly urges the NZ representatives to the 2009 ICM to advocate and support measures within the new ISP to give greater priority to campaigning for children’s rights especially those contained in the UN Convention on the Rights of the Child”.

We urge all those attending the AM to support this resolution and all members to lobby their group or team delegates to support it.

AZERBAIJAN: Three Juveniles in Detention after Unfair Trial

Amnesty is calling for the release of Dmitri Pavlov, Maksim Genashilkin and Rusian Bessonov, either pending a prompt and fair retrial complying with international human rights standards or unconditionally with all charges dropped. The three were detained in March 2005 when they were aged 15 and 16 respectively. Dmitri Pavlov was released a few days later but was detained again in August 2005. They are being held on charges relating to the murder of another teenager Fusal Zeynalov. It has been suggested that they were targeted for the crime because of their Russian ethnicity.

The three are reported to have been beaten and ill-treated, denied food, water and sleep and access to their lawyer and their parents and had been forced to sign false confessions incriminating one another for the murder. They were sentenced to 10 years imprisonment in June 2007 and their convictions were upheld by the Baku Court of Appeal in January 2008.

In April 2008, the country’s Supreme Court ruled that the Court of Appeal had violated their right to a fair trial. The Court of Appeal upheld the conviction in July 2008 but this decision was overturned by the Supreme Court in 2009. Their cases are now being reviewed by the Court of Appeal for the third time.

Amnesty continues to call for a thorough and independent investigation of the youth’s allegations of ill-treatment. If these are confirmed, the three should receive reparations and those responsible be brought to justice.

Please write to the authorities making these points in your letters:

- Express concern that the rights of Dmitri Pavlov, Maksim Genashilkin and Rusian Bessonov to a fair trial have been violated as identified by the Supreme Court’s two judgements;
- Express further concern that the current review of the case may also fail to conform to international fair trial standards and that their continued detention may be arbitrary;
- State that you are aware that the Azerbaijani authorities have indicated that forensic medical investigations showed that “neither violence nor torture was committed” against the three youths. Say that this investigation may not have been independent as required by international law;
- Urge a thorough and fully independent investigation into the youths’ allegations of ill-treatment in detention. If the allegations are confirmed, the youths should receive reparation and compensation and those responsible should be brought to justice;

For these reasons urge that the three young men should either be released unconditionally or provided with a prompt and fair trial complying with international human rights standards.

ADDRESSES:

Zakir QARALOV

Prosecutor General

7 Rafibeyli Street; Baku 370001, AZERBAIJAN.

Fax: + 994 12 492 32 30 (if someone answers ask for a fax tone)

Salutation: Dear Prosecutor General

Fikret Memmedov
Minister of Justice
Ministry of Justice
1, Inshaatchylar prospect
Baku AZ1065, AZERBAIJAN Salutation: Dear Minister

COPIES TO:

Elmar Mammadyarov
Minister of Foreign Affairs;
4 S. Qurbanov Street;
Baku AZ 1009, AZERBAIJAN
Fax: +994 12 498 84 80
Email: secretariat@mfa.gov.az
Salutation: Dear Minister

USA: Guantánamo Bay Prisoner Not Released Despite Court Order

Mohammed el Gharani, Chadian national, aged 22 years. (This case was reported in the February edition of this newsletter)

More than two months after US federal judge Richard Leon ordered that Chadian national Mohammed el Gharani be released from the US detention facility at Guantánamo Bay in Cuba, he is still held there. Taken into custody when he was a 14-year-old child, he has spent nearly a third of his life in US military custody.

Mohammed el Gharani, a Chadian national, was born and brought up in Saudi Arabia. He has been held as “an enemy combatant” since 2002 having been taken into custody by Pakistani forces in Pakistan in late 2001, handed over to US forces and taken to Kandahar air base in Afghanistan before being transferred to Guantánamo.

Judge Leon decided that he could not rely on the truthfulness of the only evidence offered by the Government which was the statements made by two other Guantánamo detainees. He ordered the government to “take all necessary and appropriate diplomatic steps to facilitate his release forthwith”. He is still in detention.

Please write to the US authorities making these points in your letter:

- Expressing concern that Mohammed el Gharani is still detained in Guantánamo Bay, more than two months after District Court Judge Richard Leon ruled his detention unlawful and ordered his immediate release;
- Calling for all due urgency to be applied to ensuring his prompt and safe release from Guantánamo.

ADDRESSES:

The Honorable Eric Holder, Attorney General, US Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530-0001, USA
Fax: +1 202 307 6777
Email: AskDOJ@usdoj.gov
Salutation: Dear Attorney General

The Honorable Robert Gates, US Secretary of Defense, 1000 Defense Pentagon, Washington DC 20301, USA
Fax: +1 703 571 8951
Salutation: Dear Secretary of Defense

Gregory Craig, Counsel to the President, The White House, 1600 Pennsylvania Avenue NW, Washington, DC 20500, USA
Fax: +1 202 456 2461
Salutation: Dear Mr Craig

SAUDI ARABIA: Incommunicado detention/Fear of torture (UA 80/09)

Muhammad' Arif Muhammad al-Dahim
'Abdullah Muhammad al-Khalaf
Mustafa Muhammad al-Fardan

These three males aged 14 to 16 years belong to the minority Shi'a community in the eastern Province of Saudi Arabia and are being held in incommunicado detention and are at risk of torture or other ill-treatment.

According to Amnesty they were arrested for taking part in a protest on February 27 in Safwa, Eastern province regarding an incident in Medina in February 2009 where demonstrations were held in protest against the arrest of Shi'a visitors to the tomb of Prophet Muhammad. Three other young men arrested at the same time were released from custody around 28 March. Two adult Shi'a men were arrested around the same time and are still held incommunicado.

The Saudi Arabian authorities regularly hold detainees incommunicado where they are frequently tortured or ill-treated. Demonstrations are not allowed and those who defy this ban are often held and denied access to the courts.

Please write to the Saudi authorities making these points in your letter:

- Welcoming the release of Muhammad 'Ali Muhammad al-Sfawani, Hassan Muhammad al-Sadiq, and Qassim Muhammad al-Mawsi;
- Expressing concern that Muhammad 'Arif Muhammad al-Dahim, 'Abdullah Muhammad al-Khalaf, Mustafa Muhammad al-Fardan, and the adults Nouh 'Ali Salih 'Abdul Jabbar and Makki Al-'Abbas are held incommunicado, and are therefore at risk of torture or other ill-treatment;
- Urging the authorities to ensure that they are protected from torture and other ill-treatment;
- Calling on them to ensure that they are given regular access to their families and lawyers, and any medical attention they may require in line with international law and standards;
- Calling on the authorities to release them immediately and unconditionally if they are being held solely for taking part in peaceful protests.

ADDRESSES:

His Majesty King 'Abdullah Bin 'Abdul 'Aziz Al-Saud
The Custodian of the two Holy Mosques
Office of His Majesty the King
Royal Court, Riyadh, Kingdom of Saudi Arabia
Fax: (via Ministry of the Interior) +966 1 403 1185 (please keep trying)
Salutation: Your Majesty

His Royal Highness Prince Naif bin 'Abdul 'Aziz Al-Saud
Minister of the Interior
Ministry of the Interior
P.O. Box 2933, Airport Road
Riyadh 11134, Kingdom of Saudi Arabia
Fax: +966 1 403 1185 (please keep trying)
Salutation: Your Royal Highness

COPIES TO:

Mr Bandar Mohammed Abdullah Al Aiban
President
Human Rights Commission
P.O. Box 58889, King Fahad Road, Building No. 373
Riyadh 11515, Kingdom of Saudi Arabia
Fax: +966 1 4612061

His Excellency Mr Hassan T Nazer, Ambassador
Royal Embassy of Saudi Arabia
PO Box 9162, Deakin, Canberra, ACT 2600, Australia
Fax: + 61 2 6282 8911
Email: auemb@mofa.gov.sa

IRAN: Fear of imminent execution (UA 87/09 and UA 63/09)

Abumoslem Sohrabi (m), aged 24, juvenile offender
Abbas Hosseini (m), Afghan national, aged 24, juvenile offender

Abumoslem Sohrabi is at risk of imminent execution for a murder committed when he was 17 years old in circumstances which one judge ruled were self-defence against sexual harassment and abuse. However, his execution order has been approved by the Supreme Court and passed to the Office for the Implementation of Sentences, the body responsible for seeing that all sentences - including executions - are carried out.

Similarly, Afghan refugee Abbas Hosseini is in danger of execution for a murder committed when he was 17, which he claimed to have committed "in a moment of insanity" after the victim attempted to rape him. His death sentence was upheld on 29 December 2008. The victim's family are refusing to pardon in exchange of payment of diyeh (blood money).

Abbas Hosseini was the subject of UA 87/05 (MDE 13/011/2005, 15 April 2005) and follow-ups.

BACKGROUND INFORMATION

Iran is a state party to the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), both of which expressly prohibit the imposition of the death penalty for offences committed by persons below eighteen years of age.

Since 1990 Iran has executed at least 42 juvenile offenders, eight of them in 2008 and one on 21 January 2009. See: Iran: The last executioner of children (MDE 13/059/2007, June 2007), <http://web.amnesty.org/library/index/engmde130592007>

Please send appeals to arrive as quickly as possible, making these points:

- Expressing concern that Abumoslem Sohrabi and Abbas Hosseini are at risk of execution for crimes committed when they were under 18;
- Calling on the authorities to commute the death sentence;
- Reminding the authorities that Iran is a state party to the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), which prohibit the use of the death penalty against people convicted of crimes committed when they were under 18.

ADDRESSES:

Head of the Judiciary
His Excellency Ayatollah Mahmoud Hashemi Shahroudi
Howzeh Riyasat-e Qoveh Qazaiyeh (Office of the Head of the Judiciary)
Pasteur St., Vali Asr Ave., south of Serah-e Jomhouri
Tehran 1316814737, Islamic Republic of Iran
Email: shahroudi@dadgostary-tehran.ir (In the subject line write: FAO Ayatollah Shahroudi)
Salutation: Your Excellency

COPIES TO:

Leader of the Islamic Republic
Ayatollah Sayed 'Ali Khamenei
The Office of the Supreme Leader
End of Shahid Keshvar Doust Street
Islamic Republic Street
Tehran, Islamic Republic of Iran
Email: info_leader@leader.ir
Salutation: Your Excellency

This newsletter prepared for Amnesty International
by Joan and Peter Sutton and Jan Marsh.

Contact us by email - childrensrightsnetwork@amnesty.org.nz

