



**Legal Network Newsletter November 2009**

**LATEST NEWS**

**Debunking the "queue jumping" asylum seeker myth**

As Australia's appalling treatment of asylum seekers again hits the headlines, it has also ignited media comment in New Zealand. Sadly, that coverage has seen the further victimisation of some of the most vulnerable people. Asylum seekers flee because they fear persecution and death at home. In the case of the Sri Lankan "boat people" they are escaping the aftermath of a brutal conflict costing 70,000 lives. Legally both Australia and New Zealand have obligations to asylum seekers and refugees. This Opinion Editorial by Margaret Taylor, Amnesty's Refugee and Individual at Risk Co-ordinator, seeks to contribute light not heat to the debate. To read the article, click here <http://tinyurl.com/ye5hn79>



We encourage all members to respond to erroneous media comment either via letters to the editor or, if they have a particular human rights expertise, via such pieces in general media or industry magazines.

**Fiji: Harassment of government critics continues**

The recent arbitrary detention and ill-treatment of Fiji-born Australian academic Professor Brij Lal by the Fijian military highlights the continued deterioration of the rule of law and the legal and constitutional protections for all people in Fiji. At the same time, New Zealand's top diplomat and the Australian High Commissioner were both expelled from Fiji under the orders of Commander Bainimarama.



In a report titled *Paradise Lost*, published in September 2009, Amnesty International documents a catalogue of human rights violations perpetrated by the Fijian authorities since the abrogation of the constitution; the sacking of the entire judiciary; and the enforcement of martial law through the Public Emergency Regulations in April 2009

To read more on the harassment of government critics, click here <http://tinyurl.com/yfyqx5s>  
To read *Paradise Lost*, click here <http://tinyurl.com/yzut6cc>

**Children, still seen but not heard**

In a recent article published in NZLawyer, John Hancock and Vanushi Walters from YouthLaw Tino Rangatiratanga Taitamariki have called for a communications mechanism for the United Nations Convention on the Rights of the Child (UNCROC). Amnesty International agrees that, "such a mechanism would allow children to raise a breach at an international level where domestic remedies have failed, and

it would encourage States Parties to take a more proactive approach in fulfilling their obligations under UNCROC and addressing complaints in a timely and appropriate way." Read the article by clicking here <http://tinyurl.com/y97deq6>

### **How Universal Jurisdiction can end impunity**

In a recently released report entitled *Ending Impunity: Developing and Implementing a Global Action Plan using Universal Jurisdiction*, Amnesty International urged the Sixth Committee of the United Nations (UN) to develop a global action plan to end impunity, including universal jurisdiction, as one essential tool of international justice.

To read more, click here <http://amnesty.org/en/library/info/IO53/005/2009/en>

### **Israel and Palestine: the Goldstone report is a defining step for accountability**

The UN General Assembly passed a resolution on November 6 based on the UN Fact Finding Mission led by Justice Goldstone. Both Israel and Hamas in Gaza have been served due notice, in this defining General Assembly resolution, that they must immediately conduct credible, independent investigations into the alleged grave violations of human rights and humanitarian law committed during the conflict responded Amnesty's UN chief Yvonne Terlingen.



In a new report, *Troubled Waters – Palestinians Denied Fair Access to Water*, Amnesty International has highlighted that the lack of access to adequate, safe and clean water has been a longstanding problem for Palestinians in the Occupied Palestinian Territories (OPT), principally as a result of discriminatory Israeli policies and practices. The water shortage has resulted in violations of Palestinians' right to an adequate standard of living, including the rights to water, food, health, work and adequate housing.

To read more on the Goldstone report, click here <http://tinyurl.com/yzttevz>

To read more on the water situation, click here <http://tinyurl.com/yjt5f25>

### **The US joins Arms Trade Treaty talks, but at a very high price**

The US Government announced its support for the Arms Trade Treaty (ATT) on October 16. While this news is welcomed by Oxfam International and Amnesty International, Washington's support comes at a very high price. The US's support is conditional on the inclusion of the requirement that future negotiations must be made by consensus. Amnesty International and others have expressed reservations about this consensus requirement



as it could give every State the right of veto over final decisions at the UN Conference. They warned a small number of sceptical States must not be allowed to hijack the ATT process when it is clear the world wants a strong treaty.

To read more, click here <http://tinyurl.com/ykpm95q>

### **Syria: Human rights lawyer barred for life**

Last week the Syrian Bar Association issued a lifetime ban against Muhannad al-Hassani, president of the Syrian Organization for Human Rights (Sawasiyah), from practising law. This sends a disturbing and powerful signal to other lawyers, seemingly aimed at deterring them from carrying out legitimate human rights work. To read Amnesty's open letter the Syrian Bar Association, click here <http://tinyurl.com/yjcy48v>

# Submissions

Since the last newsletter Amnesty has made two submissions on:

- **The Search and Surveillance Bill 2009.**

Amnesty International's submission made recommendations on the search and surveillance of electronic information, the multiple executions of a warrant, safeguards for items of uncertain status, warrantless searches in public places and plain view searches.

- **PACER Plus.**

Amnesty recently prepared a submission on the PACER Plus trade negotiations between New Zealand and Australia and the Pacific Forum Island Countries (PFIC). In our submission we encouraged New Zealand, throughout the negotiations, to assist PFICs to commit to international human rights instruments, pursue an agreement that is focused on development and human rights and to prioritise broad and timely consultation both within New Zealand and PFICs. Amnesty International's submission highlights the need for human rights and development to take precedence over trade.

AI often needs assistance with submissions, research and writing articles. If you are available to assist in anyway please email Chris Kerr at [chris.kerr@amnesty.org.nz](mailto:chris.kerr@amnesty.org.nz)

To read any of AIANZ's submissions, click here <http://tinyurl.com/ygyb7x8>

## TAKE ACTION

Veteran human rights lawyer faces up to 15 years in Syrian prison Human rights lawyer, Haytham al-Maleh, has been charged by Syrian authorities with "conveying false news within Syria that could debilitate the morale of the nation", "weakening national sentiment" and "slandering" a governmental body. These charges have been brought against him because he has exercised his right to freedom of expression and Syrian authorities must immediately release the veteran human rights lawyer and drop all charges. To take action, click here

<http://tinyurl.com/yzzxc8j>



### Lawyers: Write for Rights

It is time to come together once again to demand that the rights of individuals are respected, protected and fulfilled, and to show solidarity with people who suffer human right abuses. Amnesty International's global annual Write for Rights letter writing marathon takes place December 5-13.

One of this year's case concerns human rights lawyers Nguyen Van Dai and Le Thi Cong Nhan, from Vietnam. Both have been a jailed since May 2007 for "conducting propaganda against the state".

#### Take action:

- Request information about this case and supporting resources from Campaigns Intern, Alex Bayfield, [campaigns.intern@amnesty.org.nz](mailto:campaigns.intern@amnesty.org.nz)
- Participate in AIANZ events nationwide Click here for details <http://www.amnesty.org.nz/get-involved/events>
- Host your own Write for Rights event at work and get colleagues to take action on behalf of fellow lawyers.

## CAREERS

If you are interested in working in the human rights / NGO area, have a look at these websites.

<http://www.goodworks.co.nz/>

<http://www.dev-zone.org/>

<http://www.skillsforcauses.com/>

<http://www.eurobrussels.com/NGOs.php>

<http://www.thirdsector.co.uk/>

<http://www.humanrightsjobs.com/>

For information on Amnesty's internship programme, click here <http://tinyurl.com/yjsqitz>

Share on:   