

## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 1

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**Article 1: Everyone is born free and has dignity because they are human**



### **CASEFILE: CAMPAIGN FOR EQUALITY IRAN**

Launched in 2006, the Campaign for Equality, an Iranian women's rights initiative composed of a network of women and men, is committed to ending discrimination against women in Iranian law. The Campaign gives volunteers basic legal training, and these volunteers travel around the country promoting the Campaign, talking with women in their homes, as well as in public places, telling them about their rights and the need for legal reform. The volunteers are also collecting one million signatures of Iranian nationals for a petition demanding an end to legal discrimination against women in Iran.

The Iranian authorities have impeded the Campaign's work and repressed its activists. The authorities have temporarily blocked access to the Campaign's main website from inside Iran on numerous occasions and blocked local Campaign websites of the Campaign in several provinces. Frequently denied official permission to hold public meetings, Campaign activists usually hold their workshops in the homes of sympathizers, some of whom have then received threatening phone calls apparently from security officials or been summoned by them for interrogation.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 2

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**Article 2: Everyone has equal rights regardless of differences between people such as gender, colour, religion, language, wealth or political opinion.**



### **CASEFILE: Zarganar**

Popular comedian, actor and director Zarganar, an outspoken critic of Myanmar's military government, was sentenced on 21 November 2008 to 45 years' imprisonment by a special court in Yangon's Insein Prison. He was arrested on 4 June 2008 for his public criticism of the government's response to the humanitarian crisis that emerged in the wake of Cyclone Nargis, which hit Myanmar in May 2008. He still faces other charges for which he could receive further sentences. After it emerged that the Myanmar government was obstructing international aid that was to be distributed to the devastated Ayeyarwady (Irrawaddy) Delta and the surrounding areas, Zarganar began to lead efforts to raise and distribute aid from private donors. Despite assurances from the authorities that private donors would be given free access to cyclone affected areas, Zarganar and at least 21 others were arrested for their participation in the voluntary aid effort.

Zarganar is currently being held in Insein prison. He has been suffering from ill-health. He is a prisoner of conscience. He is at risk of torture and ill-treatment.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 3

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### Article 3: **Everyone has the right to life and the right to live in freedom and safety**



#### **CASEFILE: JUSTINE MASIKA BIHAMBA**

Justine Masika Bihamba and her family have been targeted by members of the DRC military for the work she does as the coordinator of the women's human rights NGO, Synergie des femmes contre les violences sexuelles (SFVS). On 18 September 2007, soldiers forced their way into Justine's home whilst she was out and tied up her six children at gunpoint. One of the soldiers assaulted Justine's eldest daughter, then sexually assaulted and attempted to rape another daughter. SFVS counsellors have regularly been threatened and attacked because of their work.

Justine and her children have been repeatedly threatened by the uniformed men, whom Justine regularly sees in the streets around her home. On two occasions, some of the soldiers have come to Justine's house, threatening the family and mocking the legal complaint against them. Justine's 5-year-old son now fears he will be killed whenever he sees a soldier. Her two daughters have fled abroad. "All we want is an end to this impunity", Justine told Amnesty International.

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# UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 4

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Article 4: **No one shall be held in slavery.**



## CASEFILE: Mao Hengfeng

Mao Hengfeng has been repeatedly detained, and is now imprisoned, for her work defending women's reproductive rights. She has been repeatedly subjected to torture and is at risk of further ill-treatment.

Mao Hengfeng became pregnant with her third child (she had previously had twins) in 1988. She was ordered by officials at the state-run factory she worked in to have an abortion in order to comply with China's family-planning policy. She refused and protested to the factory management. She was then taken to a psychiatric hospital by force, where she was injected with a number of drugs. After one week she was released. She gave birth despite this, although the drugs resulted in the baby being born with numerous health problems.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 5

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Article 5: **Everyone has the right not to be hurt, tortured or treated cruelly.**



### CASEFILE: Fredy Peccerelli

Forensic anthropologist Fredy Peccerelli, his colleagues and some of his relatives have been threatened, followed, watched and shot at on many occasions because of their work to combat impunity. Fredy Peccerelli heads the Fundación de Antropología Forense de Guatemala (Guatemalan Forensic Anthropology Foundation, FAFG), which carries out forensic investigations and exhumations of mass graves dating from the time of Guatemala's internal armed conflict (1960-1996).

These human rights defenders have received serious death threats since 2002. The threats have been so numerous that only some examples will be given here. On 7 March 2002 a man rang FAFG and left a message saying that they were going to kill Fredy soon. On 6 March 2003, his sister Bianka Peccerelli was followed in her car by unidentified men, who pointed a gun at her. On 29 April 2003, the front door of Fredy Peccerelli's house was shot at. On 8 September 2005, a written death threat was delivered to Bianka Peccerelli's home. On 9 January 2006 Fredy Peccerelli received a text message saying that his brother Gianni was going to be killed. On 19 May 2008, he received an email including the phrases: "Well you bastards your day has come. You are being watched and we will kill you. Freddy we're going to break your arse, Omar is being watched in the university, his degree won't count for shit, his happiness at being a father won't last long, we're going to rape his wife and we'll send her in pieces to the FAFG." On 27 July 2008, José Suasnavar, FAFG deputy director, received a death threat by text message.

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**Article 6: Everyone has the right to be treated as a person under the law everywhere.**



**CASEFILE: Ronak Safarzadeh**

Ronak Safarzadeh, an Iranian Kurd, is detained in the women's section of Sanandaj Prison, Kordestan Province, north-west Iran. She is a member of two non-governmental organizations promoting women's rights in Iran: the Campaign for Equality and the Azar Mehr Women's Organization of Sanandaj (which is affiliated to the Campaign for Equality). Amnesty International believes that she is a prisoner of conscience, detained solely for her work for women's rights and the rights of Iran's Kurdish minority.

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**Article 7: The law is the same for everyone and should protect everyone equally.**



### **CASEFILE: Sakit Zahidov**

Sakit Zahidov, a well-known opposition journalist in Azerbaijan, was sentenced to three years' imprisonment on questionable charges of possessing illegal drugs. Amnesty International is concerned that he was not given a fair trial and that he may have been imprisoned solely for peacefully exercising his right to freedom of expression. The organization calls on the Azerbaijani authorities to ensure an immediate retrial in compliance with international fair trial standards.

Sakit Zahidov is a journalist and satirist for the opposition newspaper Azadlıq ('Freedom'), as well as a poet. He is married with five children. He was arrested on 23 June 2006 on a charge of possession of illegal narcotics with intent to distribute, by Interior Ministry personnel belonging to its anti-narcotics department. A statement issued by the Ministry alleged that 10 grams of heroin had been found on Sakit Zahidov's person and confiscated following his arrest. Sakit Zahidov's brother and editor-in-chief of the Azadlıq newspaper, Qanimat Zahidov, and other prominent opposition journalists believe that his arrest was politically motivated and that the heroin was planted on Sakit Zahidov in order to incriminate him. Allegedly, a senior officer (his name was provided to Amnesty International) from the Investigation Department for the Fight Against Drug Trafficking planted drugs in Sakit Zahidov's left pocket after the journalist was forced into a car at the time of the arrest. The alleged planting of incriminating evidence on victims targeted because of their political activities was documented by human rights activists in the context of the 2005 parliamentary elections, when a number of opposition party activists were arrested and two imprisoned on narcotics-related charges.

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Article 8: Everyone has the right to ask for legal help when their basic rights are not respected.



### CASEFILE: Ruslan Bessonov, Maksim Genashilkin and Dmitri Pavlov

Three teenagers detained since March 2005 have been subjected to torture and ill-treatment. Ruslan Bessonov (born 28 April 1988), Maksim Genashilkin (born 15 March 1990) and Dmitri Pavlov (born 16 July 1989) were detained on 14 March 2005 by police from the 33rd police precinct in the Surakhan district of the Azerbaijani capital Baku. They were charged with murdering another teenager, Vusal Zeynalov, yet their parents were only informed of their sons' arrests eight hours later. Ruslan Bessonov and Dmitri Pavlov were only granted access to their lawyers some 48 hours after their arrest at around midday on 16 March, while Maksim Genashilkin met with his lawyer on 17 March.

In testimony given to their parents, the boys allege that they were tortured and otherwise ill-treated following their arrest. In testimony dictated to his mother, Ruslan Bessonov stated that on 14 March 2005 in the 33rd police precinct in Surakhan district, police and investigators punched and slapped him in the head, face and stomach. According to his statement, the following day police and investigators beat him with fists, open hands and truncheons on the head, face, abdomen, back, legs, knees, the soles of his feet and heels; they further kicked him in the back, abdomen, and legs, hung him up by his legs, sat on his chest and stamped on his fingers. Police and investigators allegedly also threatened to use electric shock torture on him, to tear out his fingernails, to slam his genitals in a door and to kill his mother.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 9

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**Article 9: No one should be arrested, imprisoned or expelled from their country without good reason.**



### CASEFILE: Amine Sidhoum

Amine Sidhoum is one of the few lawyers in Algeria prepared to represent people whose human rights have been violated by the state. He was sentenced on 13 April 2008 to six months' imprisonment, suspended, for "bringing the judiciary into disrepute." As a lawyer, even a suspended prison sentence has a huge impact on his ability to work. He has appealed.

He is well known because of his work opposing torture and unfair trials of people accused of terrorism. His work on behalf of organizations of families of the "disappeared" in Algeria has also exposed him to harassment by the authorities.

The charges relate to a 2004 article in the newspaper *Ech Chouroukh*, which quoted Amine Sidhoum as saying that the 30 months that one of his clients had spent in detention without being sentenced amounted to "abusive judgement." Amine Sidhoum says that he actually described the case as one of "arbitrary detention." He was charged in September 2006 with "bringing the judiciary into disrepute."

Amnesty International believes the case against Amine Sidhoum to be politically motivated and that it is intended to prevent him from continuing to carry out his professional activities as a lawyer concerned with the protection of human rights. Amnesty International considers this case to be part of a wider pattern of official harassment of human rights defenders in Algeria.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 10

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**Article 10: Everyone has the right to a fair trial, if accused of a crime.**



### **CASEFILE: Sanjiv Kumar Karna**

Student Sanjiv Kumar Karna was picnicking with a group of friends on 8 October 2003 in Janakpur, Dhanusha District, Southern Nepal, when he and 10 others were reportedly beaten and arrested by a group of 25-30 army and police personnel. While being transported to police detention, Sanjiv Kumar Karna and his friends were again severely beaten before being interrogated. Six were subsequently released, but Sanjiv Karna and four friends - Durgesh Kumar Labh, Pramod Narayan Mandal, Shailendra Yadav and Jitendra Jha - have not been heard from since.

Sanjiv Kumar Karna's arrest is believed to be linked to his interest in student politics and his former membership in the All Nepal National Independent Student Union- Revolutionary (ANNISU-R), which is aligned with the Communist Party of Nepal-Maoist (CPN-M). He resigned from the ANNISU-R in 1998 and his family say that he had no involvement with the CPN-M.

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**Article 11: Everyone has the right to be presumed innocent until proven guilty.**



### **CASEFILE: Carlos Jorge Garay**

Carlos Jorge Garay was imprisoned on 6 July 2007 for a crime he did not commit. He has been acquitted of the same offence, 'terrorism', twice since 1992, but is still in custody. Amnesty International considers Carlos Jorge Garay to be a prisoner of conscience.

Carlos Jorge Garay was first convicted of 'terrorism' in July 1992: the authorities believed that he was a member of the Maoist armed opposition group *Sendero Luminoso* (Shining Path). Following the introduction of new anti-terrorism legislation his sentence was quashed in May 2003, yet he has since gone through two further trials for the same offence and has twice been acquitted by the National Penal Court, most recently in February 2006. There is now a risk that the last acquittal will be annulled and Carlos Jorge Garay will have to face a fourth trial.

On 23 July 1992 he was detained and charged with attempting to blow up a public bus in Lima and owning Sendero Luminoso propaganda material. He was sentenced to 25 years' imprisonment by a *faceless judge* (between 1992 and 1997 judges in terrorist cases were hidden from defendants by screens, and had their identity concealed in court records) and sent to Miguel Castro-Castro Prison. AI adopted Carlos Jorge Garay as a prisoner of conscience.

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**Article 12: Everyone has the right to privacy.**



### **CASEFILE: Johan Teterissa**

Teacher Johan Teterissa is serving a 15-year prison sentence for leading a peaceful public protest in front of President Susilo Bambang Yudhoyono, during which a flag of Mollucan independence was raised. Of the 21 other protestors arrested with him, one is awaiting trial, and 20 have been sentenced to between seven and 20 years' imprisonment, as part of a systematic crackdown on pro-independence activities in Maluku province. Since the start of 2007, at least another 48 people involved in some way with similar flag-raising ceremonies have been arrested or imprisoned on charges of "rebellion."

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 13

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**Article 13: Everyone has the right to travel within and outside their own country.**



### **CASEFILE: Kamal al-Labwani**

Pro-democracy activist Kamal al-Labwani is serving a 15-year sentence, handed down after a series of unfair court proceedings. Amnesty International considers him a prisoner of conscience, held solely for the peaceful exercise of his right to freedom of expression.

He was arrested at Damascus airport on 8 November 2005 when he returned from a trip to Europe and the USA, where he met human rights organizations and government officials and called for peaceful democratic reform in Syria.

On 11 May 2007, when he had already spent 18 months in prison, the Damascus Criminal Court sentenced him to 12 years' imprisonment for "scheming with a foreign country, or communicating with one with the aim of causing it to attack Syria." He was sentenced to a further three years in April 2008, for "broadcasting false or exaggerated news which would affect the morale of the country."

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 14

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**Article 14: Everyone has the right to seek asylum in another country, if they are being persecuted in their own country.**



### **CASEFILE: Delara Darabi**

Delara Darabi is at risk of execution for a murder which took place when she was 17 years old. Her death sentence has reportedly been upheld by the Supreme Court, after she was sentenced to death for a second time following a re-trial. Delara Darabi initially confessed to the murder, but later retracted her confession, saying that she had been asked to admit responsibility for the murder by her friend, who believed that as she was a minor she wouldn't be executed. Delara Darabi tried to commit suicide in January 2007.

Delara Darabi and a 19-year-old man, Amir Hossein, reportedly broke into the house of a cousin of Delara's father, intending to commit a burglary. Amir Hossein allegedly killed the woman during the burglary. After her arrest, Delara Darabi confessed to the murder. She claims that Amir Hossein had persuaded her to admit responsibility for the murder to protect him from execution, on the grounds that she would not face the death penalty because she was only 17. She later retracted her confession, and claimed that she was under the influence of sedatives during the burglary. She was however sentenced to death (qesas or retribution) by Branch 10 of the General Court in Rasht.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 15

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### Article 15: Everyone has the right to a nationality.



#### CASEFILE: Sonia Pierre

*“It seems as though there is nothing wrong with defending human rights in this country. It seems that what it is wrong is defending the rights of the Dominico-Haitian community.”*

**Sonia Pierre**

Human rights defender Sonia Pierre has been threatened and harassed as a result of her work to stop discrimination against the Haitian community in the Dominican Republic. Sonia Pierre is the Executive Director of the human rights organization, the Movement for Dominico-Haitian Women (*Movimiento de Mujeres Dominico-Haitianas*, MUDHA). The organization is part of the Jacques Viau Dominico-Haitian Encounter Network (*Red de Encuentro Dominico Haitiano Jacques Viau*) which works to combat anti-Haitian prejudice and racism in the Dominican Republic.

The network has been heavily involved in efforts to ensure that the descendants of Haitian migrants receive Dominican nationality and enjoy their full rights as citizens. It has also worked closely with the Jano Siksè Border Network (*Red Fronteriza Jano Siksè*), a cross-border network of Haitian and Dominican grassroots organizations which monitors human rights abuses, including collective or arbitrary deportations and ill-treatment by members of the security forces, along the Dominico-Haitian border.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 16

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Article 16: Everyone has the right to marry and have a family.



### CASEFILE: Dmitrii Kraiukhin

Human rights defender Dmitrii Kraiukhin and his family have been subjected to a series of acts of intimidation. An attempt has been made to burn down the family home whilst his 86 year old mother, daughter and 6 year old granddaughter were trapped inside. An anonymous threatening letter has also been sent to the home, which has been smeared with insults and other threats. It is believed that these attacks are intended to stop him from continuing his work to combat racism in Russia.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 17

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**Article 17: Everyone has the right to own property on their own or with others. No one should have their property taken from them without good cause.**



'A week with shooting means one or perhaps two weeks without work. Electricity and water supplies have also sometimes been cut off. You never know when shooting is going to start...You don't know which way to run. The only really safe place here is the toilet...Why should we have to put up with this?'

Maria Lúcia Almedia, Complexo do Alemão, April 2008

### CASEFILE: São Paulo

The population of São Paulo exploded in the 1960s and 1970s as industrial developments drew in migrants from other parts of the country. The lack of planning and provision for these communities means that the city continues to face a housing crisis. Around half the population live precariously in favelas on the periphery, tenement blocks or quats. According to the UN Special Rapporteur on adequate housing, some 10,000 sleep on the streets of São Paulo every night.

Against this background, the occupation between 2002 and 2007 of the Prestes Maia building (which had stood empty for over a decade) became a focal point for protest by homeless families and NGOs trying to put pressure on the authorities to take action.

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**Article 18: Everyone has the right to their own free thoughts, conscience and religion including the right to practice their religion privately or in public.**



### **CASEFILE: Dr Binayak Sen**

A prominent medical doctor and human rights defender is facing politically motivated charges, aimed at stopping his human rights work, after he met with an imprisoned leader of a banned Communist group.

Dr Binayak Sen works in Chhattisgarh state and is the national Vice-President of the People's Union for Civil Liberties (PUCL), one of India's foremost human rights organizations, and is also general secretary of the PUCL's state branch. He is also one of the few doctors working with rural indigenous communities, commonly known as adivasis, to improve their access to healthcare. Chhattisgarh has a weak health infrastructure.

In the course of his human rights work, Dr Sen met at least 33 times with Narayan Sanyal, a leader of the banned Communist Party of India-Maoist (CPI-Maoist), who was jailed in Andhra Pradesh state from September 2006 and was moved to Raipur Central Jail, where he remains, in May 2006. The police allege that the meetings were used to pass letters from Narayan Sanyal to Piyush Guha, an alleged member of CPI (Maoist) who has been detained in Raipur since 1 May 2007.

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Article 19: **Everyone has the right to say what they think and to share information with others.**



### CASEFILE: Chen Guangcheng

Blind human rights activist Chen Guangcheng is serving a four-year sentence imposed after he gave legal advice to villagers in Linyi region, in the eastern province of Shandong. The villagers were taking legal action against the local authorities, who had carried out forced sterilizations and abortions on thousands of local women to enforce the national family-planning policy.

In 2005, local authorities in Linyi city, Shandong province, reportedly carried out a campaign of forced abortions and sterilizations in pursuit of birth quotas which affected thousands of local women. No one has been brought to justice in connection with these alleged abuses. Local activist, Chen Guangcheng, a blind, self-trained legal advisor, attempted to bring a lawsuit against the local authorities in connection with these allegations. He has since been convicted and imprisoned on politically motivated charges in an apparent attempt to stop him from continuing with these activities.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 20

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Article 20: **Everyone has the right to meet with others publicly or privately and to freely form and join peaceful associations.**



### CASEFILE: Eynulla Fətullayev

The arrest and imprisonment of prisoner of conscience Eynulla Fətullayev are the culmination of years of harassment by the Azerbaijani government against him and his newspapers.

Eynulla Fətullayev has a record of outspoken journalism. He worked for the controversial opposition newspaper *Monitor*, which closed after the unresolved murder of its editor [Elmar Hüseynov](#) in March 2005. He also started the Azeri-language newspaper *Gündelik Azərbaycan* (Azerbaijan Daily) and the Russian-language newspaper *Realny Azerbaydzhan* (Real Azerbaijan), which has become known for criticizing government officials, especially the Interior Ministry. In 2007 he faced death threats after reporting that high-ranking officials ordered a criminal gang to kill Elmar Hüseynov.

On 20 April 2007, he was arrested, charged with libel, tried and sentenced to two and a half years' imprisonment by the Yasamal District Court, based on comments posted on a website in February that were attributed to him. That evening, a colleague who testified in Eynulla Fətullayev's defence was assaulted by two men he identified as being in the courtroom that day. Eynulla Fətullayev has since been sentenced to an additional eight and a half years' imprisonment on charges of terrorism, incitement of ethnic hatred and tax evasion.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 21

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**Article 21: Everyone has the right to vote in regular democratic elections and to take part in the government of their country.**



### **CASEFILE: Yang Tongyan**

Yang Tongyan, a freelance writer and a member of the Independent Chinese PEN Centre, is serving a 12-year sentence for "subversion of state power", in Nanjing City Prison.

Yang Tongyan was detained on 24 December 2004. He was allowed to leave detention centre on bail on 24 January 2005, but was arrested again on 20 January 2006. He was sentenced to 12 years of imprisonment on 16 May 2006 by Zhenjiang Intermediate People's Court after a closed trial. His conviction was based on his writings in support of political and democratic change in China. He was also accused of receiving money from abroad for distribution to imprisoned dissidents and their families, and of planning to form a local branch of the banned China Democracy Party.

According to the verdict, "Freedom of speech and association are political rights bestowed upon citizens in China's constitution, but the constitution clearly stipulates that in the exercise of these political rights, citizens shall not endanger the interests or security of the state. Defendant Yang Tongyan posted numerous articles on websites hosted overseas, attacking the leadership of the Chinese Communist Party and the socialist system ... There is sufficient evidence that he conspired to subvert China's state power."

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 22

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**Article 22: Every country must do its best to ensure that everyone has enough to live a life of dignity**



### CASE STUDY: BHOPAL

In this picture is Firdous, Ganga, Suman, Sanjay, Firoza, Shahid and Sadanand – with younger members of their family.

All of them were orphaned as a result of the a chemical plant explosion in their city, Bhopal, in 1984. More than 7000 people were killed within days of the explosion and more than 100,000 people have fallen seriously ill since.

More than 20 years later the toxic gas from the explosion continues to contaminate the air and water and the people of Bhopal have yet to receive adequate compensation or see justice.

It has proven impossible to hold the companies responsible for the plant responsible for the clean up as there is no way, through international law, to hold them to account. Without legal accountability the companies can evade any responsibility to clean up Bhopal.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 23

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**Article 23: Everyone has the right to work for a fair wage in a safe environment and also has the right to join a trade union.**



### **CASEFILE: Mansour Ossanlu**

Mansour Ossanlu is a trade union activist and human rights defender. He has spent several periods in prison and has experienced a long history of persecution by the authorities for his legitimate trade union activities. Mansour Ossanlu has continually faced harassment and intimidation at the hands of the Iranian authorities both within and outside prison. Amnesty International considers him to be a prisoner of conscience and is calling for his immediate unconditional release.

On 24 February 2007, Mansour Ossanlu was tried for "acts against national security" (eqdam 'aliye amniyat-e melli) and "propagating against the regime" (tabligh 'aliye nezam) in Branch 14 of the Tehran Revolutionary Court. Around 80 people came to support him but were denied access to the court room. His contacts with international organizations such as the ILO, the ITF and the ITUC appeared to be the key reasons behind the indictment. In June 2007 his lawyers announced that they would appeal the five year prison term handed down by the lower court. On 30 October 2007, Branch 36 of the Tehran Appeals Court reportedly confirmed the five year prison sentence, at which point Mansour Ossanlu was reportedly transferred to a general, or open wing of Evin prison.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 24

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Article 24: **Everyone has the right to rest and leisure time.**



### CASEFILE: Zimbabwe Congress of Trade Unions

For the past several years, members of the Zimbabwe Congress of Trade Unions (ZCTU) have been subject to a campaign of harassment by the authorities. Members have been arbitrarily arrested and detained and some have been tortured and ill-treated whilst in custody.

On 13 September 2006 in the capital Harare, Lovemore Matombo, Wellington Chibebe and Lucia Matibenga, all of whom are leaders of the ZCTU, were three of fifteen arrested while attempting to engage in peaceful protest about deteriorating social and economic conditions in Zimbabwe. They were taken to Matapi Police Station where they were systematically tortured. Their injuries were consistent with beatings with blunt objects, heavy enough to cause fractures to hands and arms and severe multiple soft tissue injuries to the backs of the head, shoulders, arms, buttocks and thighs. They were transferred to Harare Central Police Station on 14 September before being released later that day.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 25

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**Article 25: Everyone has the right to a home, enough food and health care.**



“They told us to remove our property from our homes so they could be demolished... I asked...why they were doing this and pleaded with them not to: ‘Could it be that there are no laws in this country? You are police. You should protect the law, but you are breaking it.’”

Amélia André Maneco, speaking to Amnesty International

### CASEFILE: FORCED EVICTIONS IN ANGOLA

Amélia André Maneco had just left the hospital after giving birth to her fourth child in July 2005. She returned home to Soba Kapassa, an informal settlement in Luanda, to see a group of police officers and other men gathered. “They told us to remove our property from our homes so they could be demolished,” she told Amnesty International. “I asked... why they were doing this and pleaded with them not to: ‘Could it be that there are no laws in this country? You are police. You should protect the law, but you are breaking it.’”

After their forced eviction, Amélia André Maneco and her husband took the zinc sheets that used to be the roof of their demolished home and built a temporary shelter. But the harassment continued. “They came back two times that year to demolish our homes and try to move us out of the area. They didn’t give us any money to move or any place to move to. We asked lawmakers for help and they came to visit us here. The demolitions stopped, but we lived in a zinc shelter until 2008. We could not afford to rebuild a house until then.”

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 26

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**Article 26: Everyone has the right to education and to free primary education.**



### **CASEFILE: José Luis Urbano**

“Education is a human right and a fundamental social duty, it is democratic, free of charge and obligatory.”  
Article 102 of the Venezuelan Constitution

José Luis Urbano, President of the Foundation for the Defence of the Right to Education (Asociación Pro-Defensa del Derecho a la Educación), has been threatened and even shot because he has publicly condemned corruption and violations of the right to free education in Venezuela. This right is enshrined in Venezuela’s Constitution. Other members of the Foundation have also been threatened.

On 9 February 2007, the Foundation held a press conference to publicize the poor quality of the education available to poor children in Anzoátegui state. It alleged that the education provided was grossly inadequate and that charges were being levied. Later that day, José Luis Urbano received an anonymous telephone threat warning him to “stop fishing for information, because something could happen to you”. The following day, as José Luis Urbano and his wife were driving from their home to the centre of the town of Barcelona in Anzoátegui state, a black car pulled up next to them. Two men got out, and one stuck a gun through the window on José Luis Urbano’s side. The other said, “Shoot him, it’s the guy from Pro-defensa”. José Luis Urbano managed to grab the gun barrel but the man fired and hit him in the stomach.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 27

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**Article 27: Everyone has the right to take part in the cultural life of the community and the right to benefit from scientific and artistic learning.**



### CASEFILE: WOZA

Since February 2003, women belonging to the women's rights organisation Women of Zimbabwe Arise (WOZA) have repeatedly been arrested by the Zimbabwe police while taking part in peaceful demonstrations to protest the worsening social, economic and human rights situation in the country. They have been subjected to intimidation, harassment, and ill-treatment by police officers. Many of those arrested have later been released without charge, but some have been charged under repressive legislation such as the Public Order and Security Act (POSA) and the Miscellaneous Offences Act (MOA). Women with babies, children and a heavily pregnant woman have been among those arrested.

The treatment of WOZA illustrates the government's increasing intolerance of peaceful public demonstrations expressing criticism of government policies. It also highlights the malicious use of the law, particularly the combination of the Public Order and Security Act (POSA) and Miscellaneous Offences Act (MOA), to allow arbitrary arrests and detentions and to facilitate a range of other human rights violations by the police.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 28

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**Article 28: National and international laws and institutions must make possible the rights and freedoms set out in this declaration.**



### **CASEFILE: Shi Tao**

Journalist and poet Shi Tao is serving a 10-year prison sentence for sending an email summarizing a Chinese Central Propaganda Department communiqué on how journalists should handle the 15th anniversary of the crackdown on the 1989 pro-democracy movement. He was detained on 24 November 2004 at his home in Taiyuan, Shanxi province, and later charged with "illegally providing state secrets to foreign entities". He was sentenced in April 2005 by the Changsha Intermediate People's Court, Hunan Province and his appeal was turned down in June 2005. He is now held in Deshan prison in Yuanjiang city. He was previously held in Chushan prison, where he was reportedly forced to work polishing gemstones, and is reported to be suffering from respiratory problems and skin inflammation caused by the dust. His conviction was partly based on information provided to the Chinese authorities by the Internet company Yahoo!

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 29

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**Article 29: Everyone has the responsibility to respect and uphold the rights of others in their community and the wider world.**



### **CASEFILE: Marcelo Freixo**

Marcelo Freixo, human rights defender and state politician, risks being attacked because of his role as president of a parliamentary commission investigating the activities of paramilitary militias in Rio de Janeiro's shanty towns (known as *favelas*). His family and other members of the parliamentary commission are also in danger.

Marcelo Freixo has campaigned for human rights, as a researcher with the national non-governmental organization Global Justice (*Justiça Global*), as an advisor to state and federal authorities, and now as an elected official in the state of Rio de Janeiro.

He has worked on a range of issues in the past, including conditions within the prison system and police violence. He has often been called in as a mediator during prison riots as well as developing education projects and HIV awareness within the prison system. Largely as a result of his work, the state government closed down Rio de Janeiro's notorious Polinter prison in 2006, where extreme overcrowding, gang violence and maltreatment of prisoners had become commonplace.

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## UNIVERSAL DECLARATION OF HUMAN RIGHTS: ARTICLE 30

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**Article 30: No one has the right to take away any of the rights in the declaration.**



### **CASEFILE: Hakamada Iwao**

Hakamada Iwao has been on death row since 1968. He was convicted after an unfair trial of the 1966 murder of the boss of the factory where he worked, and the man's wife and two children.

The family had been stabbed and their house set on fire. Hakamada confessed after 20 days of interrogation by police without a lawyer present. Under the daiyo kangoku (substitute prison) system suspects can be detained for up to 23 days of questioning. There is no limit on the length of interrogation sessions, during which the detainees' lawyers have only restricted access to them. He retracted his confession and testified during his trial that police had beaten and threatened him to force him to sign a confession. Hakamada claimed that police pulled his hair and slapped him during interrogations that lasted more than 12 hours every day. Nonetheless he was found guilty and sentenced to death in 1968. His appeals were rejected by the Tokyo High Court in 1976 and the Supreme High Court in 1980. He went on to petition for a retrial: he was rejected by the Shizuoka District Court in 1994 and the Tokyo High Court in 2004. The Supreme Court rejected his petition for a third time on 24 March 2008; his lawyers submitted a second appeal the following month to the Shizuoka District Court.

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