

Fall 2003

Publication of Amnesty
International Canada
(English Speaking)

Women's Action Network News



“No one listens to us and no one treats us as human beings”

Justice denied to Afghan women

...“domestic and physical violence are normal practice – we have a lot of cases of broken arms, broken legs and other injuries. It is common practice in Afghanistan.” Quote from a Foreign doctor working in an Afghan hospital.

“They [family members] will kill man and woman [in certain cases of rape]. If married she should go back to her father, because her husband will not keep her... If unmarried she will be killed.” Quote from a woman participating in an Amnesty research mission focus group.

‘Fatima’ was sold by her father into marriage to a much older man at the age of 14. Her father used the proceeds to buy a car.

“During the Taleban era if a woman went to market and showed an inch of flesh she would have been flogged, now she’s raped.” Observation of an international NGO worker.

Two years after the ending of the Taleban regime, the international community and Afghan Transitional Administration (ATA) led by President Hamid Karzai have proved unable to protect women. The risk of rape and sexual violence by members of armed factions and former combatants is still high. Amnesty International is gravely concerned by the extent of violence faced by women and girls in Afghanistan. Forced marriage, particularly forced marriage of girls, and violence against women in the family are widespread in many areas of the country. These crimes of violence continue with the active support or passive complicity of state agents, armed groups, families and communities.

The criminal justice system is at present unable to protect women’s right to life, physical security, and it exposes them to discrimination and the risk of abuse. Prosecution for violence against women, and protection for women at acute risk of violence is virtually absent. Those women who overcome powerful barriers and seek to access justice are unlikely to have their complaints considered, or their rights defended.

Amnesty International recognises the difficulties facing Afghanistan as it seeks to recover from over 23 years of conflict. However, it is vital that measures to protect the rights of women are built into legal and constitutional reform, and integrated into policing and criminal justice processes. A system of justice which meets the needs of women and merits their trust will be essential if this critical challenge is to be met.

Amnesty International calls on the international community and the ATA to act with urgency to protect women from violence, and to build a criminal justice system that is able to defend women’s right to live in freedom from violence. The organization believes that international human rights standards offer Afghanistan a strong and coherent framework to undertake this essential task.

Inside this issue:

AI Issues:

- Afghanistan
- Amnesty working on the issue of ‘comfort women’
- End Violence Against Women Campaign Update

Updates:

- Amina Lawal update
- Cuidad Juarez
- Irene Fernandez

Hot Happenings:

- December 10th
- Nobel Peace Prize
- 16 days campaign

Actions:

- Cuidad Juarez
- Irene Fernandez
- Afghanistan

Information Sources:

- new Canadian resource
- two interesting websites
- Amnesty publications

Editor’s Note:

Material not originating from Amnesty International is included here for information. Inclusion does not necessarily indicate that AI has verified the information contained therein or that the opinions expressed are held by AI or the Women’s Action Network.

Afghanistan has recently ratified the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and the Rome Statute to the ICC, and is also a party to a number of other important human rights treaties. Amnesty International urges that these standards be enshrined in the Constitution scheduled to be adopted in late 2003 and fully incorporated into ongoing legal reforms.

To read the full report on justice denied to women of Afghanistan, please go to www.amnesty.ca/library/index.html or contact the National Office (see contact information on back page) for a copy.

TAKE ACTION - Go to page 6

AI Issues – News and Updates

Nigeria: Amina Lawal is free - at last!

Amina Lawal, a Nigerian woman sentenced to death by stoning for having a baby as a result of consensual sexual relations while divorced, has had her sentence overturned and is now free.

On 25 September the judges at the Katsina Sharia Court of Appeal delivered the decision to a courtroom full of lawyers and international media. Khadi (judge) Ibrahim Maiangwa said that she had not been "caught in the act" and that she had not been given the opportunity to defend herself.

During her first trial, when she was sentenced to death, she did not have access to a defence lawyer. AI campaigned for her right to have legal representation. Nigerian women's human rights organizations ensured that she had access to a defence lawyer and supported the team of lawyers who agreed to work free of charge.

The first court which heard Amina Lawal's case read the decision in Arabic – a language which Amina does not understand. The man who had allegedly had sexual relations with her was freed after swearing on oath that he was innocent, whereas in her case the pregnancy itself was taken as proof that she was guilty. She was required to provide four witnesses to prove her innocence. This highlights the discrimination against women within the Sharia penal law.

AI welcomes the decision to free Amina Lawal. This decision shows that victims of human rights abuse can successfully fight and win appeals within the Sharia penal system. AI's concerns in the case were about fear of the use of the death penalty and Amina Lawal's access to justice.

Although Amina Lawal's case is now successfully closed, AI

continues to campaign on behalf of other people sentenced to death. AI is also concerned about cases where cruel, inhuman and degrading sentences, such as amputations and flogging, are being passed under the new Sharia penal legislation in Nigeria.

For more information, see www.amnesty.org/actnow

Human Rights Defender Under Attack

Irene Fernandez, a prominent Malaysian human rights activist, has appeared in court more than 150 times since 1995. In 1995, "Tenaganita," the women's rights organization that Fernandez directs, published allegations of widespread abuse against migrant workers detained by the Malaysian authorities as illegal immigrants.

The government didn't investigate these allegations. Instead, it charged Fernandez with "maliciously publishing false news," a charge that could lead to three years in prison. Amnesty International, including many members of the Women's Action Network, have been campaigning ever since to have the charges dropped and the reports of abuse independently investigated.

In a note to Amnesty, Fernandez says: "I want you to know how

much your work makes a difference. Your efforts have given me strength to continue."

Irene has recently been found guilty of "maliciously publishing false news," and sentenced today to 12 months imprisonment. She remains free on bail, pending the outcome of her appeal.

United Nations human rights experts have expressed concern about the jail term. They stated that "Irene Fernandez is highly respected, both nationally and internationally, for her commitment and integrity as a human rights defender." Ambeyi Ligado, UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Expression, and Hina Jilani, UN Special Representative on Human Rights Defenders, urged a review of the case. Please **take action** on her case – see **page 5** for more details.

Amnesty International Support for Former Sex Slaves to the Japanese Imperial Army

Amnesty International had chosen previously to not take a position on the issue of women's human rights violations perpetrated by the Japanese Imperial Army during the Second World War. The reason for this was in part due to the fact that the events had taken place before the organization existed. However, AI Japan, and other staff and volunteer members of Amnesty, enabled the organization to make its support for these 'comfort women' public in August 2003.

During World War II, tens of thousands of women from North and South Korea, Taiwan, the Philippines, China and Malaysia were forcibly abducted and deceived into becoming 'comfort

women'. They were forced into sex slavery in military controlled comfort stations organized by the Japanese army in the occupied countries. Women were repeatedly raped and coerced into slavery by violence, threats and intimidation. These gross human rights violations perpetrated against women were systematic and widespread. They amount to crimes of torture and constitute a crime against humanity. As such, there is no statute of limitations for these crimes.

Former 'comfort women' have brought their cases to the District Courts, High Courts and the Supreme Court in Japan for the crimes committed against them. To this day, these courts still

deny them justice and the Japanese government has refused to acknowledge its legal responsibility for crimes against humanity committed against former 'comfort women'.

Amnesty International fully supports calls on the Japanese government to guarantee that 'comfort women' are provided full reparations including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition. Amnesty also calls on the Japanese government to ensure that all cases of violence against women are investigated and perpetrators are brought to justice.

International Solidarity Action – Ciudad Juarez and Chihuahua

"We will wrap ourselves in this banner when we're feeling lonely"

These were the words of one of the mothers of Ciudad Juarez and Chihuahua, whose daughter has disappeared, when she received a banner from the Secretary General of Amnesty's International Secretariat.

Amnesty delegates from all over the world joined together in an action of international solidarity with the Mothers Juarez and Chihuahua, two Mexican cities bordering the United States. These cities have borne witness to a consistent pattern of murder, torture and disappearances of young women over more than 10 years.

Each delegate at Amnesty's International Council meeting held in Mexico stamped their hand with paint on a 22-metre long banner and left a personal message in solidarity with the mothers of the young women. This colourful banner, full of supportive messages from all over the world, was given to the three representatives of the mothers of Juarez in a very moving ceremony.

One of the mothers, whose daughter had disappeared last May, expressed her gratefulness to AI for its support and success in trying to achieve justice. She, in turn, handed a banner to the Secretary General, Irene Khan, as a gesture of appreciation for Amnesty's solidarity.



Stop Violence Against Women Campaign Update

***Why this campaign?
Why now?***

There are many reasons why Amnesty decided to take on a campaign to end violence against women.

As a human rights movement we have become keenly aware of our own weaknesses in working to defend and protect the rights of women. Amnesty was created at a time when there was little understanding and appreciation for the human rights violations women experience on a daily basis. We have attempted to 'add in' work on women's human rights which has led to a rather uneven agenda for action.

A decision was made to embark on a campaign to end violence against women to focus our attention, resources and energy to address a continuing serious violation of women's rights and improve our organizational capacity to work on women's human rights concerns.

cont'd pg.6

ACTION SECTION

MEXICO: Abduction and Murder of Women in Export Processing Zones

Rosalba Pizarro Ortega, aged 16, Julieta Marlen González Valenzuela, aged 17, Yesenia Concepción Vega Márquez, aged 16, and Minerva Torres Abeldaño, aged 18, went missing in the city of Chihuahua between February and March 2001. They did not know each other. What links them are the dates and circumstances of their cases and the fact that they were all teenagers living in poverty, students, *maquila*¹ workers or workers in the formal or informal economy. They are also linked by the fact that the investigations were headed by Commander Gloria Cobos of the State Judicial Police who, in April 2002, was accused of falsifying evidence in the case of the abduction and murder of another young woman.

Many clues and testimonies have established links between the four cases and provided numerous leads to the identities of people who may know the whereabouts of the women or be responsible for what happened to them. However, the four young women are still missing. The authorities have taken no action to catch those who were responsible.

Approximately 370 women have been murdered in the last decade in Ciudad Juárez and neighbouring communities in the industrial zone along the US-Mexico border. Officials acknowledge that at least 70 other women remain missing, although some activist organizations in the region put that number as high as 400.

Forensic evidence shows that more than 100 of the women were held captive and tortured for several days prior to their murder. Their bodies have been found hidden among rubble or

abandoned in deserted areas near the city.

Mexican police have blatantly failed in their responsibility to investigate and stop these crimes. Amnesty International has documented unjustifiable delays in the initial investigations – the period when there is the greatest chance of finding the woman alive – and a failure to follow up evidence and witness statements.

Initially, Mexican authorities displayed open discrimination towards the women, often blaming them for their own deaths because of the way they dressed or the lives they led. A former State Public Prosecutor commented in 1999, "It's hard to go out on the street when it's raining and not get wet."

Under international pressure to stop the killings, Mexican authorities have repeatedly claimed to have solved these crimes. Torture has reportedly been used to force confessions. But the murders continue. Families of the victims and lawyers campaigning for police action have been threatened and harassed.

¹ factories set up by US and Canadian companies to take advantage of cheap labour and favourable tariff conditions

TAKE ACTION:

Please write the authorities of Chihuahua State. In your letters please include information about the cases above and the following points:

1) express deep concern:

- for lack of effective response to the cases of the four young women;

- that the state has not undertaken sufficient measures to locate the missing women or identify those responsible and that they must do so as soon as possible;

- for the delays in and inability to work with witnesses

2) request that state authorities:

- investigate and prosecute any officials responsible for abuses in these cases such as negligence, failing to act, cover-up, torture of detainees and harassment of family members;
- acknowledge their responsibility for the negligence demonstrated in the investigations in these four cases and many other cases of murder or disappeared women in Chihuahua state;
- provide adequate reparations for the families of these young women;
- recognize the legitimate work of non-governmental organizations in their struggle for justice;

Write to:

Governor of Chihuahua State:

Lic. Patricio Martínez,
Gobernador del Estado de Chihuahua
Aldama 901, Colonia Centro
Estado de Chihuahua, México
Fax: + 52 614 429 3464
Salutation: Dear Governor

Chihuahua State Public Prosecutor:

Lic. Jesús José Solís,
Procurador General de Justicia del Estado de Chihuahua

Calle Vicente Guerrero 616
Col. Centro, Estado de Chihuahua,
México
Fax: + 52 614 415 0314
Salutation: Dear Sir

**Send copies to:
Mexican Commission for the
Defence and Promotion of
Human Rights:**

Comisión Mexicana de Defensa y
Promoción de los Derechos
Humanos A.C. (CMDPDH),
Tehuantepec 155, Col. Roma Sur
México DF, CP 5584 2731, México
E-mail: cmdpdh@laneta.apc.org

Justice for Our Daughters:

Justicia para Nuestras Hijas
Río Soto La Marina 8204,
Col. Alfredo Chávez,
Chihuahua, Estado de Chihuahua,
México
E-mail: gomezg@prodigy.net.mx

SPECIAL ACTION!

Solidarity With Ciudad Juarez

Amnesty's International Secretariat has proposed that an international day of action be staged on 25th November, International Day for the Elimination of Violence Against Women. You can use the image of the pink crosses in your public activities – a powerful image that has been used by the families and NGOs working on the cases of the murdered and disappeared women in Chihuahua State. You can invite local women's organizations, local celebrities, and politicians etc. to the event to raise awareness of the cases in Mexico and get others to take action using the above case appeal.

As well, there is a one-page postcard appeal that is different from the above appeal that you can order from the National Office to use in your public demonstration. Using both appeals would be ideal as they target different authorities.

Please let us know if you organize an event that publicizes the murder and disappearance of women in Ciudad Juarez. Take photos that we can share nationally and internationally!

MALAYSIA: Human Rights Defender Targeted

Irene Fernandez, Director of Tenaganita, a women's non-governmental organization, has been found guilty of "maliciously publishing false news", and sentenced to 12 months' imprisonment. She had been subjected to the longest-running trial in Malaysian history for her legitimate work as a human rights defender. She remains free on bail, pending the outcome of her appeal.

The charges under the Printing Presses and Publications Act were brought against her in 1996 following Tenaganita's release of a report – "*Abuses, Torture and Dehumanised Treatment of Migrant Workers at Detention Camps.*" The report was compiled from over 300 interviews with undocumented migrant workers after their release from detention camps in Malaysia. The concerns raised in the report have been reiterated by other human rights organizations and foreign governments.

Amnesty International will con-

sider Irene Fernandez a prisoner of conscience if she is imprisoned.

TAKE ACTION

Please write a letter to the Malaysian authorities raising the following points:

- the Printing Presses and Publications Act violates international human rights standards, specifically on freedom of expression
- Malaysian authorities should investigate the allegations made by organizations like Tenaganita, rather than use legislation against Irene Fernandez in order to silence criticism
- Amnesty International will consider Irene Fernandez a prisoner of conscience if she is imprisoned.

Write to:

Prime Minister Dato' Abdullah Haji Ahmad Badawi,
Office of the Prime Minister

Jalan Dato' Onn
50502 Kuala Lumpur
Malaysia
Salutation: Dear Prime Minister

Send copies to:

His Excellency Datuk Dennis Joachim Ignatius
High Commission of Malaysia
60 Boteler Street
Ottawa, Ontario
K1N 8Y7
E-mail: mwottawa@istar.ca
Fax: 613 241 5214

Salutation: Your Excellency

You can send a message of support to Irene at:

Tenaganita
11th Floor
Wisma Yakin
Jalan Masjid India
50100 Kuala Lumpur
Malaysia

Fax: +60 3 291 3681

Afghanistan: Justice Denied

The Canadian government has provided aid to help rebuild Afghanistan. However, we are concerned that insufficient amounts of aid have gone to rebuilding a criminal justice system that protects women. Below is a letter you can send to the Canadian government expressing concern regarding Afghan women's access to justice.

The Hon. Susan Whelan, P.C., M.P.

Minister for International Cooperation
House of Commons
Ottawa, Ontario
K1A 0A6
E-Mail: Whelan.S@parl.gc.ca

Dear Minister Whelan,

I am gravely concerned by the extent of violence faced by women and girls in Afghanistan. The risk of rape and sexual violence by members of armed factions and former combatants is still high. Forced marriage, particularly forced marriage of girl children, and violence against women in the family are widespread in many areas of the country, affecting many women. These crimes of violence continue with the active support or passive complicity of state agents, armed groups, families and communities.

The criminal justice system is at present unable to protect women's right to life and physical security. It exposes them to discrimination and the risk of abuse. Prosecutions for violence against women, and protection for women at acute risk of violence are virtually absent. Those women who overcome powerful barriers and seek access to justice are unlikely to have their complaints considered, or their rights defended.

I am concerned that international support for the reform and rebuilding of the police and judiciary is insufficient. In planning and implementation, the funding for the reconstruction of the justice system seems to have displayed a lack of attention to the specific needs of women who come into contact with the justice system as well as to violence against women.

I understand that Canada has contributed to the rebuilding of Afghanistan. However, I believe that Canada must make a substantial contribution to the reform and rebuilding of the police and judiciary that actively protects the right of women and girls across Afghanistan.

Stop Violence cont'd.

Outside the Amnesty organizational world, we have witnessed governments backing away from commitments they made in the early 1990's. Armed conflicts within and between states have had a devastating impact on women. They experience direct violence and numerous violations of their rights. Governments have decreased support to programs that directly benefit women and enable them and their children to lead healthy, safe lives.

It is unlikely that any country can boast a society that is free from violence against women. Violence experienced by women because of their gender is endemic and finds its source in the deeply held beliefs and attitudes of society. Stopping violence against women must address the root causes of the violence such as discrimina-

tion, poverty, conflict over resources and land, and ineffective criminal justice systems.

Amnesty's campaign will endeavor to:

- condemn the violence,
- hold states accountable for protecting and promoting women's rights,
- protect and defend the rights of women's human rights activists wherever they are, and
- ensure justice and healing for women who have experienced violence

This international campaign will launch in **March 2004**. Amnesty Canada (English Speaking) wants to make a valuable and significant contribution to this campaign nationally and internationally.

You can help by...

- **informing** yourself: contact the national office for campaign background documents.
- **joining** the campaign: fill out the enclosed coupon and you will be on the list to receive campaign materials (starting in January).
- **becoming** a Local Campaign Liaison: If you want to be a local campaign liaison or find out more about them contact Cheryl using the contact information on the back page.
- **talking** to your local Amnesty group/action circle/youth group about getting involved in the campaign.
- **writing** letters. While the bi-monthly campaign kits will include some letter writing material, your main source for regular appeal cases you will find on the website, in **The Activist**, and the Women's Action Network newsletter.

HOT Happenings

December 10th - Human Rights Day

Write for Rights

Looking for a way to celebrate International Human Rights Day on December 10th? Why not join Amnesty International activists from all across Canada and the world in a 24-Hour Write-a-thon!

Inspired by a project launched last year by Amnesty International Poland, this year Canadian Amnesty members will celebrate International Human Rights Day by **writing for rights**.

Just because it's called a 24-hour write-a-thon, doesn't mean that you need to write for 24-hours. Pick a time and write as many letters as you, friends, family and co-workers can within that period.

The write-a-thon is a fun and creative way to connect with activists across the country or across the planet. It's also a great way to involve new people in the struggle for human rights while generating lots of pressure for current human rights cases.

How can you connect with people in your school, community or across Canada?

It's easy! We will be setting up a website (www.amnesty.ca/writeathon) that will have virtual organizing tools that individuals or groups could use to create their own local letter-writing event or party.

By visiting the website, you can submit a form with details about your event, and then quickly and easily send out e-invitations to friends, co-workers, family, classmates or neighbours, depending on the kind of event you want to hold.

Anybody can organize a write-a-

thon, or 'host' an event or party with their Amnesty group, family, friends, co-workers or classmates. The formula is simple and flexible. You need just follow a few key steps to make it work:

Let us know that you are planning to participate. Sign up online! We want to see how many people we can get involved!

Pick a location for your event and promote it for several weeks in advance.

Food and activism go well together. Organize potluck meals to bring people together to write letters; use lunch time at work to organize an eat-and-write event; "take a break for human rights" and have letters for colleagues or friends to sign.

Other location suggestions:

Any class at school; in the hallways or cafeteria; at a local café or restaurant, local community centre, if the weather is nice – in a park.

Equip yourself with human rights appeal cases from this newsletter or the website. Other actions will be available on the website.

Start anytime after 12 noon on the 10th

Write as many letters as you can during the 24-hour marathon

Let us know how you did! Tell us know how many letters you or your groups have written by visiting our website or phoning in your results (1-800-AMNESTY). We'll tally the results online, and pass the final total on to AI Poland so that our numbers can be added to the worldwide total.

Don't forget to put out a dona-

tion jar or box to cover the cost of the letters that you will need to mail or fax.

Website for information:
www.amnesty.ca/writeathon

Nobel Peace Prize: Important recognition of human rights defenders

Amnesty International welcomes the award of the Nobel Peace Prize to Shirin Edbadi for her outstanding contribution to human rights. By honouring Shirin the Norwegian Nobel Committee has recognized the critical importance of human rights and the individuals who defend them around the world.

16 Days of Activism Against Gender Violence

This international campaign takes place every year from November 25th, International Day Against Violence Against Women and December 10th, International Human Rights Day. It is used as an organizing strategy by groups around the world to call for the elimination of all forms of violence against women.

For more information contact:

Centre for Women's Global Leadership
160 Ryders Lane, New Brunswick,
New Jersey
08901 USA

E-mail: snordsy@eden.rutgers.edu

Website: www.cwgl.rutgers.edu

For an action idea see page 5

Information Sources

New Resources for Activists in Canada

Transforming Women's Future: A Guide to Equality Rights Theory and Action, written by Melina Buckley and produced by West Coast Women's Legal Education and Action fund.

"This guidebook is intended for all organizations and individuals working to promote women's equality rights. Achieving women's equality requires not only awareness of our rights but the capacity to assert these rights. This means understanding the various levels of human rights protection and their institutional mechanisms of enforcement. It means recognizing the legal and political options and alternatives available and acquiring the skill to shape the strategies and alliances that are fundamental to the assertion of rights.

This Guidebook is divided into four parts: an overview of equality rights theory and action in Canada; an overview of the legal sources of equality rights in Canada; an assessment of the legal tools and strategies available to the equality-seeking communities; and some tips and recommendations for implementing these legal tools and strategies." (from the Introduction to The Guidebook).

For more information go to <http://www.westcoastleaf.org/index.php> and view the guidebook under "Education Programs – Publications" or contact them at Suite 1517, 409 Granville Street, Vancouver, BC, Canada V6C 1T2, Telephone: (604) 684-8772.

Excellent Website

WHRnet - <http://www.whrnet.org> - provides comprehensive information and analysis on women's human rights and global issues. This month's (October) topic is the FTAA and its serious consequences for the sovereignty of nations and for people's rights, particularly women's social, economic and cultural rights. It also highlights the main international mechanisms and instruments which are violated by WTO trade agreements, as well as some data that alert us to their effects. (October 2003)

You can subscribe to the whrnet listserv to receive regular e-news bulletins highlighting updates and new additions to the site, as well as occasional action alert information.

New Website

Stop Violence Against Women – New Website: www.stopvaw.org - STOPVAW is a site **currently under construction** by Minnesota Advocates for Human Rights as a tool for the promotion of women's human rights in Central and Eastern Europe (CEE) and in the Commonwealth of Independent States (CIS). This site addresses violence against women as one of the most pervasive human rights abuses worldwide. The STOPVAW site provides women's rights advocates with information focused on ending the most endemic forms of violence against women in the region.

But you already told me about...

You and other Amnesty publications:

Many of you are likely receiving a few Amnesty publications on a monthly (i.e. **Amnesty Updates** - electronic), bi-monthly (i.e. *The Activist*), quarterly (i.e. *Women's Action Network News*) and/or bi-yearly basis (i.e. *Rights Now*). Each publication has been created to ensure that our members are getting the information they want and need to do their human rights work.

We do our best to minimize the repetition of information from one newsletter to another. However, sometimes that is hard to do. The staff responsible for publications meets once every six weeks to coordinate the content of each publication. This is a relatively new initiative and we are just beginning to reap the benefits of better coordination. We appreciate your patience and understanding in our efforts to provide you with the information you need to help you do your work.

If you have any questions about the publications mentioned above, please contact the Cheryl Hotchkiss at the National Office at 1-800-Amnesty or wan@amnesty.ca.

Amnesty International Canada (English Speaking)

Cheryl Hotchkiss, Campaigner
312 Laurier Avenue East
K1N 1H9 (fax) 613-746-2411
(phone) 613-744-7667 ext 246
cherylh@amnesty.ca