

UPCOMING EVENTS

Thursday, November 30, 7:30 PM. *Monthly Meeting*
Caltech Y is located off San Pasqual between Hill and Holliston, south side. You will see two curving walls forming a gate to a path-- our building is just beyond. Help us plan future actions on Sudan, the War on Terror, death penalty and more.

Saturday, December 9, 8:00 AM-2:00 PM. *International Human Rights Day Global Write-a-thon.* Amnesty International activists around the world will be writing letters on behalf of prisoners of conscience, torture victims, and other Amnesty campaigns. They will also be sending holiday postcards to prisoners of conscience, to encourage them and keep their spirits up. We'll be doing our part at Cafe Culture in Pasadena, 1359 North Altadena Drive (just north of the intersection of Altadena Drive & Washington Boulevard). Please plan to visit us there for a cup of coffee, conversation, and to write a letter or postcard to defend human rights.

Sunday, December 17, 6:30 PM. *Rights Readers Human Rights Book Discussion Group.* Special Location this Month! Please email aigp22@caltech.edu for directions. This month we read Hiner Saleem's *My Father's Rifle* (More below.)

Tuesday, January 9, 7:30 PM. *Letter-writing Meeting* at the Athenaeum. Corner of California & Hill. We meet downstairs in the cafeteria. This informal gathering is a great way for newcomers to get acquainted with Amnesty!

Sunday, January 21, 6:30 PM. *Rights Readers Human Rights Book Discussion Group.* Vroman's Book Bookstore, 695 E. Colorado Blvd., Pasadena. This month we read Sandra Benitez' *Bitter Grounds* (More below.)

COORDINATOR'S CORNER

Group 22 has some holiday recommendations for you! First and foremost, put our December 9 Global Write-a-thon at Café Culture on your calendar! This is our second year for this special letter-writing session on behalf of human rights defenders to mark International Human Rights Day. Drop in any time between 8:00 AM and 2:00 PM and write one postcard or a bunch!

Last year our Write-a-thon focused on the Holiday Card Action and this year will be no different. We have a sample card action in this newsletter for the late Russian journalist, Anna Politkovskaya. Rights Readers will be reading her book, *Putin's Russia*, in March. It will be coming out in paper on Dec. 26, so we recommend that you use any gift certificates towards purchase of the book and prepare to join us for discussion of this human rights defender's life and work, not to mention what are sure to

be interesting developments in the investigation of her assassination!

We even have some movie recommendations for you: Amnesty is promoting both *Fast Food Nation* in conjunction with a new campaign on immigration and *Blood Diamond* in conjunction with its Conflict Diamonds campaign. See the films and look for the associated actions at www.amnesty-usa.org.

And finally, we recommend that you take some time out to remember the people featured in this newsletter's actions and others suffering from human rights violations around the globe during this holiday season. Your letters last month helped Eritrean gospel singer Helen Berhane gain freedom in time for Christmas this year—let's see what we can do this month to free other Eritreans, press for holidays at home in New Orleans for low-income Katrina survivors, and ensure that Angel Nieves Diaz lives into the new year!

Thanks for your support this year, and please join us at a meeting soon!

Martha aigp22@caltech.edu

PRISONER OF CONSCIENCE *Eritrean Estifanos Seyoum*

There is some good news from Eritrea this month. In late October the Eritrean authorities released gospel singer Helen Berhane. She had suffered torture and degrading treatment while being held without charge or trial since her arrest in May 2004. Group 22 participated in several AI actions in her behalf, including an urgent action just before her release, which was in response to her hospitalization following a new round of beatings.

Helen Berhane's release is a small ray of hope, but thousands of other Eritrean political and religious prisoners of conscience are still held incommunicado, subject to torture and abuse. Among them is Group 22's adopted POC, Estifanos Seyoum, who was arrested in September 2001 for expressing his political opinions.

Amnesty International has been evaluating a document that is circulating on the Internet which states that several prisoners from the Group of 15 and the journalists who were arrested in September 2001 have died in custody. AI cannot confirm the truth of these statements and has received no response from the Eritrean authorities. Estifanos Seyoum was not named as one of the prisoners alleged to have died.

By the way, we found a reference to Estifanos that adds a little to the very scanty knowledge we have concerning his personal background. In Dan Connell's book (*Conversations with Eritrean Political Prisoners*, published 2005) he is described as a "soft-spoken University of Wisconsin graduate" who questioned the

Eritrea ruling party's "misuse of funds and failure to pay taxes".

Here is this month's sample letter that you can copy or use as a guide. Postage is 84 cents.

His Excellency
Issayas Afewerki
Office of the President
PO Box 257
Asmara, Eritrea

Your Excellency,

I welcome the recent release of Helen Berhane, and I hope it signals a new willingness on the part of the government of Eritrea to uphold the human rights guarantees of the Constitution of Eritrea and to observe the provisions of the International Covenant on Civil and Political Rights, which Eritrea has ratified.

I am deeply concerned about Estifanos Seyoum, who was arrested in September 2001 along with ten other Members of Parliament and ten journalists. Amnesty International considers these detainees to be prisoners of conscience, held incommunicado and at risk of torture, solely because of the peaceful expression of their political opinions.

In view of recent allegations that some of these prisoners have died while in custody in a secret location, I call upon the government of Eritrea to make public the whereabouts and state of health of Estifanos Seyoum and the other prisoners of conscience.

Thank you for your attention to this urgent matter.

[Your name and address]

HOLIDAY CARD ACTION

Send Cards to the Family of Anna Politkovskaya

Once again, Group 22 is promoting the Holiday Card Action this December, encouraging you to send cards to prisoners of conscience and human rights defenders around the world. Below is an action concerning the late journalist, Anna Politkovskaya. More actions are available at <http://www.amnestyusa.org/action/holiday/>

A dedicated journalist and human rights defender, Anna Politkovskaya's fearless pursuit of truth and justice had brought her threats and detention on numerous occasions. On October 7, 2006, Anna Politkovskaya was found shot dead in the elevator of her apartment building in Moscow. Amnesty International believes that she was killed because of her work to expose human rights abuses in Chechnya and other regions of the Russian Federation.

Ms. Politkovskaya, a 48-year-old mother of two, had worked closely with Amnesty International over the years. The author of numerous books and articles about the conflict in Chechnya, she faced intimidation and harassment from Russian and Chechen authorities due to her outspoken criticism of government policy and action. Security agents detained her in Chechnya in February

2001, holding her in a pit for three days without food or water, while a military officer threatened to shoot her. She was later forced to flee the country after a military officer accused of crimes against civilians threatened her. In 2004, she nearly died after drinking an apparently poisoned cup of tea. At the time of her assassination, Ms. Politkovskaya was preparing an article for the Novaya Gazeta newspaper about the alleged use of torture by authorities in Chechnya.

You can send messages of condolence and support to Anna Politkovskaya's family and friends via her newspaper, Novaya Gazeta.

Please send cards of support to:

Novaya Gazeta
Rossiia 101990
Moskva, Tsentr
Potapovskii Pereulok, dom 3
Redaktsia "Novoi Gazety"
Moscow
RUSSIA

USA CAMPAIGN

Protect Housing Rights for Katrina Survivors

More than fourteen months after one of the worst human rights disasters in United States history, less than half of New Orleans' population has returned. The vast majority of public housing were barely affected by the hurricane, but are now surrounded by barbed wire fences while demolition plans are completed. As a result, tens of thousands of survivors are unable to exercise their right to return home. People from all over the country must stand with Katrina survivors and call for the Federal Housing and Urban Development Department to stop the destruction of housing for low income residents.

Background. On November 4th, hundreds of Amnesty activists at the Southern Regional Conference stood in front of the CJ Peete Housing Complex in New Orleans and rallied for the right to housing. Standing in front of structurally strong and beautiful old buildings barely affected by the hurricane, Amnesty delivered the message the right to return is a human right and that housing is crucial to the exercise that right.

While no effort has been made to clean out these buildings, the authority has spent hundreds of thousands of dollars erecting fences and installing steel plates on doors to close off the developments. Plans are now in place for a series of meetings and required hearings over the month of November that will lead to the bulldozing of public housing units, to be replaced by the empty promise of what is sometimes called "mixed-income" housing. The units slated for destruction and visited by Amnesty activists are Lafitte, St. Bernard, CJ Peete, and BW Cooper.

One of the primary reasons that more than half of New Orleans residents have been unable to return is that there are few, and often no, housing options for low income

individuals and families. Rental rates have increased by 40% since the hurricane (\$578 average to \$803) when available units can be found in the first place (New Orleans has a 99% occupancy rate).

Currently, less than 20% (880 of the 5,146) of the families that lived in public housing before Hurricane Katrina have been permitted to return. Those who have attempted to return – with or without authorization – have either been denied access to their former residences, stormed the existing barricades in acts of civil disobedience promoted by local grassroots organizations resulting in their arrest, or occupied their residences illegally, living in substandard conditions. Rather than rehabilitate current housing stock, New Orleans is holding off for vague mixed-income housing developments.

Mixed income housing rarely provides sufficient stock for poor families. As an example, in 2002, the St. Thomas housing project was demolished and replaced with River Garden, a mixed-income housing structure. Of the 1,600 new housing units that replaced the 1,500 pre-existing units, only 120 apartments were designated for public housing and only about 40 occupied by low-income tenants to date. Housing and Urban Development Secretary Alphonso Jackson has praised River Garden as a model of how public housing in New Orleans should be rebuilt. Pre-Katrina public housing was not perfect, but it provided a way for New Orleans residents of all income levels to call the city home. Housing is a human right, and the right to housing is clearly delineated as a part of the right to return in the United Nation's Guiding Principles for Internally Displaced Persons. The Guiding Principles has been held up by the US Agency for International Development (USAID) notes the Guiding Principles as one of its "core principles" and states: "UN Guiding Principles on Internal Displacement offer a useful tool and framework for dealing with IDP's. USAID supports the goals of these principles, and will encourage its partners and host governments to use them as a practical reference."

It is time for these principles and for the right of return to be provided for the residents of New Orleans. Public housing is essential to ensure that housing is made available for all community members and that public funds are controlled by the public rather than by unresponsive private entities. Furthermore, assumptions about public housing being substandard must be challenged so that housing can be rebuilt in good condition. The Housing Authority of New Orleans, under receivership of the Housing and Urban Development Federal Agency has told the federal court that they were going to make their decision to demolish at their meeting on November 15, 2006. We must act quickly.

Please write to HUD Secretary Jackson. Sample letter follows:

Secretary Alphonso Jackson
451 7th Street, SW

Washington, DC 20410

Dear Secretary Jackson:

I am writing concerning recent news that your agency intends to demolish over five thousand public housing apartments in New Orleans. I hope that you will reconsider this action, as it will make it impossible for thousands of displaced Katrina survivors to exercise their right to return home and threatens to add to the growing population of the city's homeless.

I am concerned that this decision does not appear to take into account the impact on displaced residents who are eager to return home and rebuild, and on the many people who have been forced to stay in temporary housing since the storm. Instead, I urge you to ensure the fulfillment of HUD's mission to increase access to affordable housing by directing your agency to secure more low-income housing and to stop the destruction of homes that could be rehabilitated without first providing a plan for equal replacement.

Public housing developments have remained largely untouched since the storm. The residents of these developments have been patiently waiting to come home. Fences and barricades around the housing developments have prevented them from accessing property, connecting with neighbors, and helping their communities to recover. Without any opportunity to have input on these drastic decisions, residents have been locked and told that their homes will be destroyed.

Undoubtedly, there is a need to protect health and safety. There may be some cases in which there is no other option than demolishing units that were badly damaged by the storm. There is also a need for improving the quality of low-income housing in New Orleans. However, it is HUD's responsibility to provide clear, just guidelines for its decisions and to respond to the needs of the public before demolition begins. Residents of these developments should be given the opportunity to have meaningful input and assurances for how and when their housing needs will be addressed.

I urge you to stop the demolition of public housing, initiate a process with transparent criteria for evaluating whether units can be rehabilitated, and ensure community participation. Such steps would be consistent with your mission and demonstrate a commitment to helping rebuild New Orleans with more opportunity and less homelessness and poverty.

Please take every measure to ensure your actions safeguard the basic human right to a decent home and facilitate the right of hurricane survivors to return to New Orleans and participate in the rebuilding of their city. Thank you for your public service.

Sincerely, Your NAME and ADDRESS

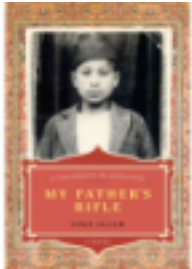
RIGHTS READERS

Human Rights Book Discussion Group

Keep up with Rights Readers at
<http://rightsreaders.blogspot.com>

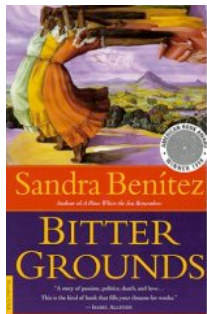
Sunday, December 17, 6:30 PM

Contact aigp22@caltech.edu for this month's special location information!!!



My Father's Rifle by Hiner Saleem

This beautiful, spare, autobiographical narrative tells of the life of a Kurd named Azad as he grows to manhood in Iraq during the 1960s and 1970s. Azad is born into a vibrant village culture that hopes for a free Kurdish future. He loves his mother's orchard, his cousin's stunt pigeons, his father's old Czech rifle, his brother who is fighting in the mountains. But before he is even of school age, Azad has seen friends and neighbors assassinated, and his own family driven to starvation. After being forced into a refugee camp in Iran for years, his family realizes, on their return, that the Baathist regime is destroying the autonomy it had promised their people. *My Father's Rifle* ends with Azad's heartbreaking departure from his parents and flight across the Syrian border to freedom. Stunning in its unadorned intensity, *My Father's Rifle* is a moving portrait of a boy who embraces the land and culture he loves, even as he leaves them.



Sunday, January 21
Vroman's Bookstore
695 E. Colorado Boulevard in
Pasadena

Bitter Grounds by Sandra Benitez

Spanning the years between 1932 and 1977, this beautifully told epic is set in the heart of El Salvador, where coffee plantations are the center of life for rich and poor alike. Following three generations of the Prieto clan and the wealthy family they work for, this is the story of mothers and daughters who live, love, and die for their passions. Epic in scope, richly steeped in history, Benitez's poetic yet unsentimental novel takes you into another time, another place, and into the lives of characters so real they cannot be forgotten.

LETTER COUNT

USA Death Penalty	2
Eritrea POC	5
Urgent Actions	16
Total:	23
To add your letters to the total contact lwkamp@sbcglobal.net	

DEATH PENALTY

Puerto Rican Scheduled for Execution in Florida

Angel Nieves Diaz is scheduled for execution in Florida on 13 December 2006. He was sentenced to death in 1986 for the murder during a robbery of bar manager Joseph Nagy in Miami in 1979.

Joseph Nagy was the bar manager of the Velvet Swing Lounge. He was shot dead on 29 December 1979, when a group of three men robbed the bar. There were no eyewitnesses to the shooting. Angel Diaz and Angel Toro were charged with first-degree murder in 1984, but the trial was delayed until December 1985. By that time, Angel Toro had pleaded guilty to second-degree murder in return for a life sentence.

Puerto Rican native Angel Diaz was represented by a lawyer until shortly after the jury had been selected. Just before the opening arguments of his trial began, and against the advice of his lawyer, he decided to conduct his own defense. The lawyer informed the judge that Angel Diaz had "exhibited rather bizarre tendencies" in previous days, including not responding to the lawyer's questions or responding to them with irrational answers. The lawyer said that in the previous 24 hours, Angel Diaz had rejected the defense they had developed over the previous months.

The judge questioned the defendant about his decision. Through an interpreter (his English was limited), Angel Diaz said that he had never read a law book, had "no idea" about how a trial in Florida was conducted or about "what I may be able to argue". The judge advised him that "since you have no ability to speak the English language in this court, you have no knowledge of the law, you did not [finish high school], it would appear to this Court that it would be impossible for you to act as an attorney in your own defense". Angel Diaz kept to his decision and the judge ruled that it had been freely and intelligently made.

The judge arranged for two psychiatrists to evaluate Diaz after proceedings that day on his competency to stand trial. Meanwhile, the trial began with Diaz making an opening statement and the state presenting five witnesses before the trial recessed for the day. The two doctors evaluated Angel Diaz that evening. The following morning, a "competency hearing" was held, without Angel Diaz or his stand-by counsel present. The record of the hearing consists of a few sentences. One of the doctors told the judge: "Angel Diaz is competent. But he did express to me that he would like some technical legal help in defending himself". The judge then said that he had had a report from the other doctor, who was not present, that Angel Diaz was "very competent". The trial was then allowed to proceed.

Post-conviction assessments by two mental health experts concluded that Angel Diaz suffers from certain mental disorders which contributed to his decision to represent

himself and undermined his ability to do so competently. The lawyer who represented him until the opening of the trial signed an affidavit stating that "I do not believe Angel Diaz was competent to represent himself. As a result, Mr Diaz asked questions he should not have asked and could not object to certain questions and evidence after my advising him to through the interpreter. I do not believe he adequately understood the legal system and the conduct of the trial due to cultural differences and language barriers, among other reasons".

Throughout the trial, Angel Diaz was made to wear shackles. During jury selection, his lawyer had objected to the shackles, but the judge responded that Diaz could cover them with his trousers or the lawyer could place his brief case in front of Diaz's legs. However, once Angel Diaz was representing himself, the shackles were visible to the jury, raising concerns about their prejudicial effect on the presumption of innocence. In addition, a defendant's perceived dangerousness has been shown to be highly aggravating in the minds of US capital jurors deciding between life and death sentences.

Angel Diaz's former girlfriend testified that on the night of the robbery, he had told her that Angel Toro had shot a man during the robbery. The testimony of two other witnesses, who had been in the bar at the time of the robbery, indicated that Angel Diaz was not the gunman. However, a jailhouse informant testified that when they had been held in the same jail, Angel Diaz had indicated that he had shot Joseph Nagy. Jailhouse informant testimony is notoriously unreliable. The Commission on Capital Punishment, set up by the Governor of Illinois after he imposed a moratorium on executions in 2000, examined the question of such testimony. The Commission's April 2002 report concluded that, even with stringent safeguards on the use of such evidence, "the potential for testimony of questionable reliability remains high, and imposing the death penalty in such cases appears ill-advised."

The jury retired to deliberate on the question of guilt. During their deliberations, they requested copies of the testimony of the former girlfriend and the jailhouse informant, but the judge refused to provide it, instructing the jury to rely on its recollection of what the witnesses had said. The jury returned a guilty verdict.

The sentencing was held two weeks later. At the beginning of the sentencing, although demanding to represent himself, Angel Diaz admitted to the court that he was not capable of representing himself adequately. The court subsequently appointed his stand-by lawyer to represent him at the sentencing. Angel Diaz refused to permit the lawyer to question the first few prosecution witnesses. The lawyer argued in mitigation that Angel Diaz had only been an accomplice to the crime, but presented no new evidence of this. The jury recommended a death sentence by eight votes to four.

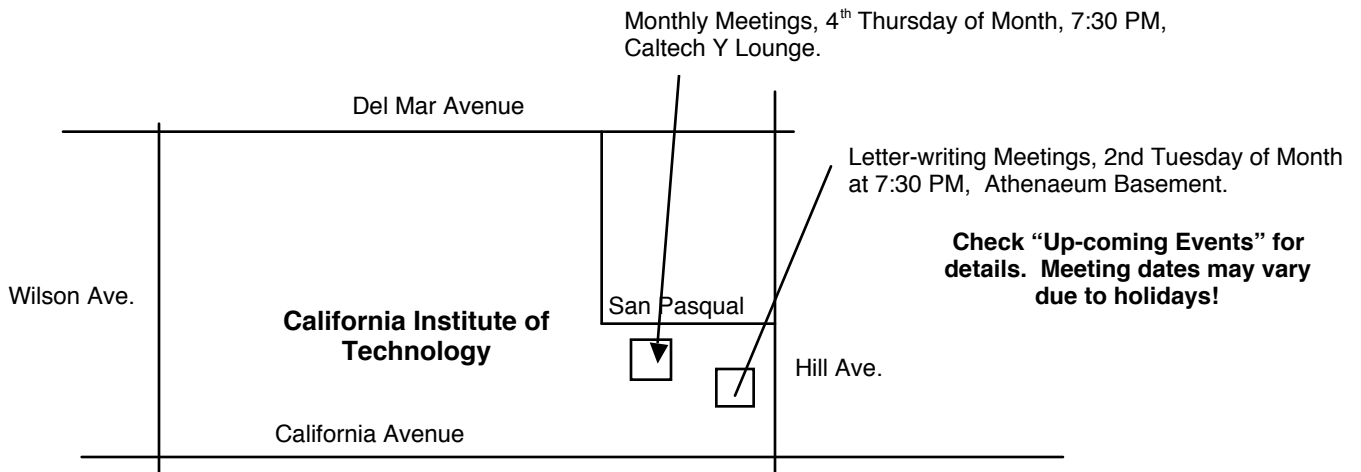
In post-conviction proceedings, evidence not raised at the trial has been raised about Angel Diaz's childhood of abuse and mental problems, and his addiction to drugs from the age of 16. It has also been claimed that the prosecution failed to disclose evidence that it was Angel Toro who shot Joseph Nagy. In a memorandum dated 6 February 1984, the prosecutor wrote: "At some point, all three subjects pulled out guns and announced a robbery. Shots were fired. Defendant Toro apparently grabbed Gina Fredericks around the neck and took her back to the area of the office where the safe was located. Apparently, victim Nagy came out of the office at that time. Defendant Toro shot Nagy once in the chest causing his death".

A recent study conducted under the auspices of the American Bar Association's Death Penalty Moratorium Implementation Project identified serious problems in Florida's capital justice system, including the high number of people released from death row on the grounds of innocence (22 since 1973), the continued existence of racial and geographic disparities, the fact that unanimity is not required in jury sentencing decisions, and the failure to give sufficient weight to the mitigating effects of serious mental disability.

RECOMMENDED ACTION: Please send appeals:

- expressing sympathy for the family of Joseph Nagy, who was killed in 1979, and explaining that you are not seeking to downplay the seriousness of this crime or the suffering caused;
- opposing the execution of Angel Nieves Diaz, noting evidence calling into question his competency to stand trial and represent himself;
- noting the disparity in sentencing in this case, with one defendant receiving a life sentence and another death, despite conflicting evidence about who was the gunman, and expressing concern at the use of jailhouse informant testimony against Angel Diaz, a notoriously unreliable form of testimony;
- noting that four of the jurors did not vote for the death penalty;
- noting that recent research has found serious problems with Florida's capital justice system, including geographic and racial disparities, and the lack of a requirement for unanimity in jury sentencing decisions;
- calling on the Governor to intervene to stop this execution.

APPEALS TO:
Governor Jeb Bush
The Capitol
400 South Monroe Street
Tallahassee, FL 32399, USA
Email: jeb.bush@myflorida.com



From the 210 exit on Lake Avenue, head south, turn left on Del Mar
 From the 110 continue on Arroyo Parkway north, turn right on California
 Street parking is generally available.

Amnesty International Group 22
P.O. Box 50193
Pasadena, CA 91115-0193



Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights.