

Amnesty International Group 22 Pasadena/Caltech News

Volume XI Number 9, September 2003

UPCOMING EVENTS

Thursday, September 25, 7:30 PM. *Monthly Meeting* 414 S. Holliston, Caltech Y Lounge. Help us plan future actions for Tibet, the Patriot Act, Just Earth campaign and more.

Tuesday, October 14, 7:30 PM. *Letter-writing Meeting* at the Athenaeum. Corner of California & Hill. This informal gathering is a great for newcomers to get acquainted with Amnesty!

Sunday, October 19, 6:30 PM. *Rights Readers Human Rights Book Discussion Group.* Vroman's Book Bookstore, 695 E. Colorado Blvd., Pasadena. This month we discuss *A Gesture Life*, by Chang-rae Lee. (More info below.)

Save the Date! Amnesty International Western Regional Conference will be held **November 1-2** at the Crowne Plaza Redondo Beach and Marina. Keynote speakers include Loretta Ross, Executive Director of the National Center for Human Rights Education, Paul Hoffman, Chair, International Executive Committee of Amnesty International, Carrie Dann, Western Shoshone Defense Project. Workshops on a variety of topics: Congo, Guatemala, North Korea, the Patriot Act, Corporate Responsibility and Human Rights, Violence against Women and more... For more information, contact the AIUSA Western Regional Office (LA) at 310-815-0450 or aiusala@aiusa.org.

COORDINATOR'S CORNER

Hi everyone!

We have some great news! Robert Adams, Group 22's Action File Co-Coordinator for our prisoner of conscience, Ngawang Pekar, has received a letter from Amnesty's International Secretariat in London confirming his release from Drapchi prison. Group 22 as well as groups in Belgium and Japan have been working on Pekar's case for many years. So come celebrate with us at our monthly meeting on Sept 25th!

Group 22 members Robert Adams, Kathy Hansen and Joyce Wolf attended Stephen Kinzer's book signing and talk at the Pacific Asia Museum

in Pasadena last week on his new book "All the Shah's Men-An American Coup and the Roots of Middle East Terror". Kinzer is the author of the book we are reading this Sunday Sept 21st for our book group-"Crescent and Star-Turkey between Two Worlds". He is a very good speaker and I learned a lot about the 1953 CIA engineered coup of Mossadegh, who was a democratically elected Prime Minister of Iran. He also spoke on the similarities between the current situation in Iraq and 1953 Iran.

Please join us on Sunday Nov 23 for the Doo-Dah Parade in Pasadena. It is a spoof of the Rose Parade and is a lot of fun. This year our theme will be our Special Focus Cases and letter writing on behalf of prisoners of conscience such as Nobel Laureate Aung San Suu Kyi. We will still do a skit, involving super-size letters, a dictator and his henchmen, and prisoners. Come to our next planning meeting on Friday Oct 3rd at 7:30 PM. Location will be announced via e-mail.

Group 22 will be working on the "Campaign against Discrimination" this coming year. This campaign is in 4 parts. The first part, which started in June 2003, is on Children in (US) INS detention. We have already written letters on the case of Isau Flores Portillo, a teenager from Honduras who is in detention awaiting approval of his asylum case and the Unaccompanied Alien Child Protection Act of 2003, which is sponsored by Diane Feinstein. Other cases are the more than 200 women killed in Mexico, detention of 2 Haitian children in a Louisiana Adult Prison, and a mentally disabled war orphan in jail. The second phase of this campaign is Racial Profiling by Law Enforcement Officials, Pre and Post 9-11 in the US. Hearings are being held in San Francisco and New York currently and are open to the public and media. The focus is on practices employed in the "War on Drugs" and "War on Terror". The third phase of the campaign is Violence against Women, which starts in March 2004 and the last phase starts in June 2004 - Police Brutality against LGBT Communities in the US. Come to monthly meetings for more info on this and other campaigns such as Just Earth (environmental activists).

Amnesty has a crisis alert on the situation in the Democratic Republic of the Congo. Amnesty's goal is to raise awareness and understanding of the human rights crisis in the DRC and the factors fueling it, call upon the US Govt. to urge the UN to provide protection to civilians at risk and publicly identify American investors involved in extraction of Congo resources, abolish the use of child soldiers and defend the rights of women and girls subjected to gender

based human rights abuses such as rape and abduction into sexual slavery, and urge the DRC, Uganda, and Rwanda Governments to end the supply of arms and training to militias and bring the perpetrators of human rights abuses to justice. See below for another action addressing this crisis.

Don't forget to register for the upcoming Western Regional Conference, which will be held this year in Redondo Beach on Oct 31 -Nov 2, 2003. Deadline for a reduced rate is Sept 30th. Go to the Upcoming Events section for more info.

Kathy aigp22@caltech.edu

PRISONER OF CONSCIENCE *Ngawang Pekar, Tibetan Monk*

Since 1996, Group 22, along with Group 146 in Japan and a group in Belgium, has been working tirelessly for the release of prisoner of conscience (POC) Ngawang Pekar (naw-wan pee-kar), a Tibetan Buddhist monk. Pekar had been imprisoned since 1989 after being arrested by Chinese authorities for participating in a peaceful demonstration in the city of Lhasa in support of Tibetan independence.

We've known for some time that, barring any unfortunate developments of which we were unaware, Pekar was due to be released sometime this year after completing the sentence imposed on him. The last couple of months we have also reported information stating that Pekar had been released, but this information had yet to be confirmed. Well folks, it looks like we can finally uncork those bottles of champagne we've been saving because Ngawang Pekar's release is now official! On 15 September, the following letter, dated 5 September 2003, was received from Amnesty's International Secretariat in London:

Dear Friends,

I'm writing with the good news that Ngawang Pekar was released from Tibet Autonomous Region Prison Number One (Drapchi Prison). We presumed him released at the end of his fourteen-year sentence on 3 March 2003, but we received unofficial reports suggesting that he has been out of prison for the last couple of years. Ngawang Sandrol, a Tibetan nun, herself released on 17 October 2002 on 'good behavior parole' from Drapchi prison, confirmed that Ngawang Pekar is free in Lhasa. Other reports indicate that he is making a living as a pecha (text) chanter, but he is not allowed to re-enter a monastery. These reports seem reliable, but we have not been able to assess whether Ngawang Pekar was indeed released earlier, and if so for what reason.

We will of course let you know if we are able to obtain any further clarification, but in the meantime we will close the action file. No further action is requested at this stage.

I'd like to thank you for all your work on Ngawang Pekar's case, which may well have helped to improve his living conditions at Drapchi and secure his prompt release.

Yours sincerely,
Liz Davidson
China Team

So there you have it - our POC is now a free man! As reported in our August newsletter, Tibetan lama Lhading Rinpoche recently wrote that Ngawang Pekar "was released from prison some time ago...", thus adding to the evidence that Pekar may have been granted an early release. If this can eventually be confirmed, it seems entirely possible that our actions may have played a role in achieving this.

Thanks much to all who have invested their time and effort over the years on Ngawang Pekar's behalf - he would surely thank you if he could.

CONGO CRISIS RESPONSE *Protest the Use of Child Soldiers*

Urge the Congolese, Ugandan, and Rwandan governments to ensure that all armed groups in the DRC end the recruitment and use of child soldiers in their areas of military control.

Over 3 million people have died and 500,000 have been displaced as a result of war in the Democratic Republic of the Congo (DRC). Although a peace accord has been signed and a transitional government has recently been established, the country's various warring parties continue to recruit and train thousands of the Congo's children as soldiers. Many have been wounded or killed. Those who survive are traumatized and must be rehabilitated. The recruitment and use of children in armed conflict is a war crime. All parties involved in the DRC must hold recruiters accountable for their acts, and bring them to justice.

Sample Letter:

Dear _____:

I am deeply concerned by the thousands of children who have been recruited and trained as child soldiers. Many have been wounded and killed in the country's five-year war. I urge you to make a commitment that your forces and those whom you support end the recruitment and use of child soldiers in the areas under their military control, encourage their complete demobilization, and offer adequate resources for their rehabilitation.

The UN Convention on the Rights of the Child prohibits recruitment of children under the age of 15 for military activities. The DRC, Rwanda, and Uganda have all ratified an Optional Protocol raising to 18 the minimum age for soldiers. Additionally, the use of child soldiers under 15 is recognized as a war crime, subject to prosecution by the International Criminal Court (ICC). I urge you to comply with the commitments of your government and insure that international law is upheld.

Children in the DRC as young as 7 years old have been forced or compelled by forced abduction, poverty or separation from their families to participate in military actions. They are often subject to the violent treatment that accompanies military life, including rape, beatings, and forced killing of enemies and even their own families. Although I am encouraged by your stated commitment to end the use of child soldiers and to promote demobilization efforts, recent reports of re-recruitment of those recently demobilized, as well as continued recruitment of new children, are causes for serious concern. The practice of employing children in war must come to an end.

In order to fully address the needs of child soldiers, demobilization initiatives must be enhanced. Current programs often ignore the crucial role that families and local communities play in the child's successful transition into civilian life and thus fail to effectively reintegrate children into society. Children are frequently given nothing to come back to and feel bereft of home, family, culture and livelihood upon their return. There is a desperate need to provide adequately resourced rehabilitation programs so that the children are not compelled to either live on the street or return to the front lines. I ask you to fully commit to taking all steps necessary to assure that these children are protected.

Sincerely,

Write to:

President Laurent Kabila
President, Democratic Republic of Congo
Présidence de la République
Kinshasa-Ngaliema
Democratic Republic of Congo

President Paul Kagame
President, Republic of Rwanda
Présidence de la République
PO Box 15
Kigali, Rwanda

President Yoweri Museveni
Office of the President of Uganda

Parliament Buildings
PO Box 7168
Kampala, Uganda

Background

"I was living in my village with my mother and my brothers and sisters. Our village was attacked again by the RCD-Goma, who accused us of collaboration with the mayi-mayi (soldiers) and of giving them food. I watched as soldiers killed many of my relatives in the village and raped my two sisters and my mother. I was scared, and I thought that if I joined the army, I would be protected. Once in the army I was trained to carry and use a firearm and I performed guard duty night and days. It was horrible because I was only 12 years old, but I was frequently beaten and raped during the night by the other soldiers.

One day, a commander wanted me to become his wife, so I tried to escape. They caught me, whipped me and raped me every night for many days. When I was just 14, I had a baby. I don't even know who his father is. I ran away again and this time I managed to escape. But today I have nowhere to go and no food to give to the baby, and I am afraid to go home, because I was a soldier." (Natalia from South Kivu, now age 16, recruited at 12 by RCD-Goma) Ituri, in the Eastern DRC, is currently the scene of one of the worst humanitarian and human rights situation in the world. Many of the human rights abuses are directly linked to the illegal exploitation of the DRC's natural resources. Armies from Rwanda and Uganda were officially recalled from the DRC; however, numerous reports suggest that significant forces from these countries still remain in eastern Congo to retain control of key natural resources, and as liaison with proxy rebel militia forces that employ child soldiers.

Forcible conscription of children taken from streets, classrooms, and refugee camps is prevalent. Many are taken from their homes at gunpoint, in front of their distraught parents. Some are known to have voluntarily joined the army or militia forces once separated from their families, or as a result of living in conditions of dire poverty where basic social, health and educational services have collapsed. Once recruited, children are usually sent to camps along with adult conscripts for military training and indoctrination.

Here, they are subjected to violent treatment. In some camps, children have died from deplorable conditions. Children as young as 7 years old are then deployed to the frontlines for combat missions, serving as decoys, detectors of enemy positions or mines, bodyguards for commandants, cooks, or porters. Girls are captured and trained as frequently as boys and both are often subject to use for sexual services.

Child soldiers are ordered to murder both enemy soldiers and civilians. Some have had to rape or kill their own family members, others to engage in cannibalism or sexual acts with corpses killed in battle. Children are often given drugs and alcohol to suppress their emotions so that they can follow these orders. Brutalized and deeply traumatized by

combat experiences, many continue to be haunted by the memories of abuses they witnessed or committed. Some former child soldiers who have been demobilized are afraid to return to their communities because the local people witnessed them taking part in crimes.

International opinion has strengthened against the illegality and immorality of recruiting children in conflicts. The International Criminal Court (ICC) has assured that human rights abuses in the DRC will be the first to be investigated by the court, including war crimes such as engaging child soldiers. Amnesty International believes that action on the international level is necessary to end the plight of child soldiers in the DRC and urges you to write to the Presidents of the DRC, Rwanda, and Uganda.

For more information please see: Democratic Republic of Congo: Children At War <http://web.amnesty.org/library/index/engaf620342003>

LETTER COUNT	
Congo Crisis Response	6
Just Earth	8
Urgent Action	20
Total:	34
Want to add your letters to the total? Get in touch with lwkamp@cs.com	

DEATH PENALTY

N. Carolinian's Sexual Identity an Issue at Trial

Eddie Hartman (m), white, aged 39, is scheduled to be executed in North Carolina on 3 October. He was sentenced to death in October 1994 for the robbery and murder of Herman Smith, who was shot to death in the rural jurisdiction of Northampton County on 3 June 1993. Eddie Hartman was arrested and voluntarily confessed to the shooting. There is deep concern that the prosecution used Eddie Hartman's homosexuality against him at the trial as part of its successful bid to obtain a death sentence.

At the sentencing phase of a US capital trial, the prosecution argues for execution and the defense presents mitigating evidence in favor of a sentence less than death. At Eddie Hartman's sentencing, his mother appeared as a witness and testified to the jury about the sexual abuse that her son had suffered as a child at the hands of older male relatives. Cross-examining the mother about evidence that her brother had repeatedly sexually assaulted the boy over a six-month period when he was eight or nine years old, the Northampton County prosecutor asked "is not your son a homosexual?" in an apparent attempt to blunt the impact of this mitigating evidence.

Eddie Hartman's aunt was also called to testify about the sexual abuse. Cross-examining her about abuse the defendant suffered when he was 11 years old, the prosecutor said to the aunt: "Well, you knew that Mr Hartman is a homosexual. You've heard that". After the defense objected to this improper question, an objection which the judge sustained, the prosecutor persisted with his irrelevant and inflammatory line of questioning when he asked: "Did you know what sexual persuasion the defendant was?"

The jury sentenced Eddie Hartman to death. In post-conviction proceedings, asked about his line of questioning regarding Eddie Hartman's homosexuality and the abuse he had suffered as a young child, the prosecutor said that "it seems to me that if someone is a practicing homosexual, that that may in some way - it's a little bit different for someone being a practicing homosexual in his real life as opposed to someone who said he had been assaulted at some point in time."

The United Nations Guidelines on the Role of Prosecutors requires that prosecutors "perform their duties fairly, consistently and expeditiously, and respect and protect human dignity and uphold human rights", and "carry out their functions impartially and avoid all political, social, religious, racial, cultural, sexual or any other kind of discrimination." The right to freedom from discrimination on the basis of sex, which includes sexual orientation, is recognized in international treaties, including the International Covenant on Civil and Political Rights, which the USA ratified in 1992.

Eddie Hartman's family background was abusive and dysfunctional. His mother, who gave birth to him when she was 17 years old, separated from Eddie's father when the boy was aged eight months, and he had no contact with his father until he was 18 years old. His mother married a total of six times. Eddie Hartman was beaten by three of the husbands. On one occasion, he was allegedly beaten with a club, leaving him unconscious, and in hospital for a week. He witnessed his mother being subjected to domestic violence, and also witnessed her attempt to commit

suicide by taking an overdose and slashing her wrists. She and other relatives suffered from alcoholism, and Eddie Hartman began drinking around the age of 11 and subsequently became alcoholic himself.

According to his current lawyers, at the guilt/innocence phase of the trial, Eddie Hartman's court-appointed counsel did not present the jury with evidence of diminished culpability due to a head injury he sustained and his mental health and substance abuse problems. The North Carolina State Bar recently suspended the law license of one of his trial lawyers. Last year, the Common Sense Foundation, a non-governmental body which promotes progressive public policy in North Carolina, issued a study which found that one in six death row inmates in the state had been represented at trial by lawyers who have been disciplined by the State Bar Association, while less than one percent of all lawyers receive such disciplinary action. The UN Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty require that capital defendants receive "adequate legal assistance at all stages of the proceedings".

BACKGROUND INFORMATION

Amnesty International opposes the death penalty unconditionally. Every death sentence is an affront to human dignity, and every execution is a symptom of a culture of violence, not a solution to it. This is a punishment which extends the suffering of one family - that of the murder victim - to another, that of the condemned prisoner.

Today 112 countries are abolitionist in law or practice. In contrast, the USA has put 875 men and women to death since resuming executions in 1977. The vast majority of these executions have been carried out in the past decade. There have been 55 executions in the USA so far this year.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:

- expressing sympathy for the family and friends of Herman Smith, explaining that you are not seeking to condone the manner of his death or to minimize the suffering it will have caused;

- opposing the execution of Eddie Hartman;

- expressing deep concern at the attempt by the prosecutor to use the defendant's homosexuality against him at trial, and suggesting that it is impossible to know what effect this potentially inflammatory tactic had on the jury;

- expressing concern that the trial lawyers failed to raise evidence of diminished culpability at the guilt phase of the trial;

- noting that one of his defense lawyers has since been disciplined by the State Bar Association, further fuelling concern about the quality of trial representation for capital defendants in North Carolina;

- calling for clemency for Eddie Hartman in the interests of justice, decency, and the reputation of North Carolina.

APPEALS TO:

State Governor:

Governor Michael F. Easley

Office of the Governor

20301 Mail Service Center

Raleigh, NC 27699

Fax: 1 919 715 3175 / 919 733 2120

Email via website:

<http://www.governor.state.nc.us/email.asp?to=1>

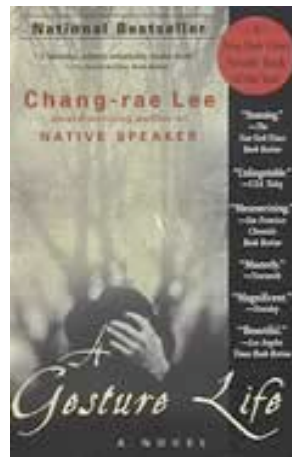
RIGHTS READERS

Human Rights Book Discussion Group

Vroman's Bookstore

695 E. Colorado Boulevard, Pasadena

Sunday, October 19, 6:30 PM



A Gesture Life:

by Chang-rae Lee

Korean-American author Chang-rae Lee adds to the growing, but limited, body of fiction on the exploitation of thousands of women by the Japanese military during World War II. Fictional retelling of the plight of comfort women guarantees that their stories will not be forgotten, as much as the Japanese government may want them to be. Stifled memories about one woman in particular haunt the septuagenarian narrator of Lee's wondrous second novel, *A Gesture Life*.

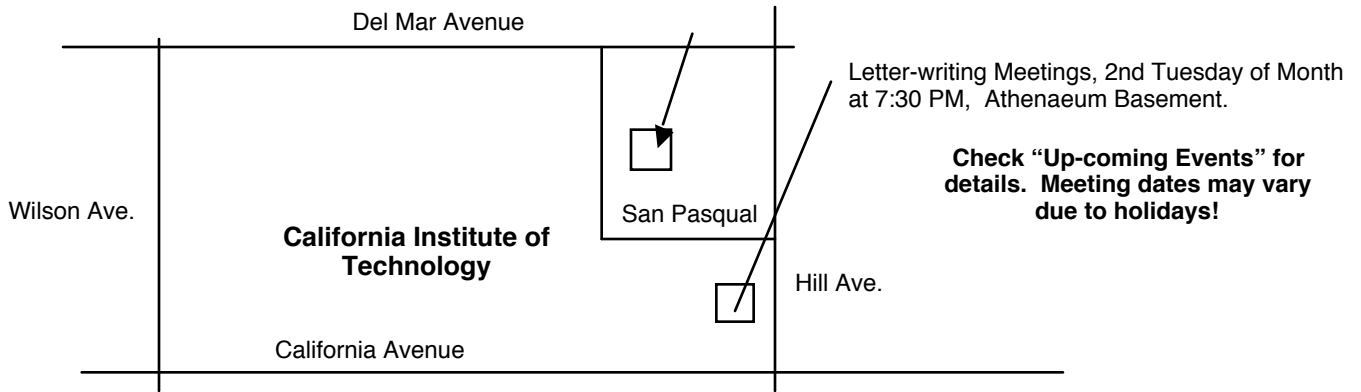
Lee's spare, careful and strangely poetic style suits the guarded speech of his genteel narrator, whether he is imparting rationalizations or elevations about his life. Lee achieves a measure skill in conveying the horror of wartime flashback scene, which reverberate throughout the rest of this finely crafted novel. *-The Nation*

EDITOR'S LAST WORD:

Read us on line: <http://www.cco.caltech.edu/~aigp22>

Martha Ter Maat, 626-281-4039 / rightsreaders@yahoo.com

Monthly Meetings, 4th Thursday of Month, 7:30 PM,
Caltech Y Lounge, 414 S. Holliston.



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.

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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.